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# TOBACCO ACREAGE ALLOTMENTS

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## HEARINGS

BEFORE THE  
SUBCOMMITTEE ON TOBACCO  
OF THE  
COMMITTEE ON AGRICULTURE  
HOUSE OF REPRESENTATIVES  
EIGHTY-EIGHTH CONGRESS  
FIRST SESSION  
ON

H.R. 1916, H.R. 3405, H.R. 5930, and H.J. Res. 389

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MAY 9, 1963

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Serial N

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Printed for the use of the Committee on Agriculture



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WASHINGTON : 1963

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# THE HISTORY OF THE

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CHARLES THE FIRST  
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GLASGOW  
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JAMES BURNET  
OF  
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IN  
SCOTLAND

# LEASE AND TRANSFER OF TOBACCO ACREAGE ALLOTMENTS

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THURSDAY, MAY 9, 1963

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON TOBACCO OF THE  
COMMITTEE ON AGRICULTURE,  
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 1310, Longworth House Office Building, Hon. Watkins M. Abbitt (chairman of the subcommittee) presiding.

Present: Representatives Abbitt, Matthews, Stubblefield, Rosenthal, Leggett, Dague, Short, Latta, and Hutchinson.

Also present: Representative Johnson of Wisconsin. Martha Hannah, staff, and Robert Bruce, assistant counsel.

Mr. ABBITT. The Subcommittee on Tobacco will please come to order.

I am glad to see our colleague from Florida, Mr. Fuqua, with us this morning.

I understand that Congressman Matthews, who is so vitally interested in all tobacco legislation, particularly this, has another most important meeting, and we will hear from Mr. Matthews first.

(H.R. 5930, H.R. 3405, and H.R. 1916, together with the departmental report dated April 2, 1963, follow:)

[H.R. 5930, 88th Cong., 1st sess.]

A BILL To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease and transfer of tobacco acreage allotments

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (1) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is further amended—

(1) by striking out “and 1963” and inserting in lieu thereof “, 1963, 1964, and 1965”;

(2) by striking out “, and for the 1963 crop year, other than” and inserting in lieu thereof “or”; and

(3) by striking out the last sentence and inserting in lieu thereof the following: “In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years.”; and

(2) Subsection (b) of such section, as amended, is amended to read as follows: “(b) Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree.”



[H.R. 3405, 88th Cong. 1st sess.]

A BILL To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281(a)), is amended—

(1) by striking out “and 1963” and inserting in lieu thereof “, 1963, 1964, and 1965”;

(2) by striking out “, and for the 1963 crop year, other than” and inserting in lieu thereof “or”; and

(3) by striking out “years 1960 and 1961” of the last sentence and inserting in lieu thereof “two preceding years.”

(b) The second sentence of subsection (b) of such section is amended to read as follows: “No lease shall be entered into for any period in excess of one crop year, but may be renewed from year to year if the parties so agree, except that no such renewal may be in effect for the 1966 and succeeding crop years.”

[H.R. 1916, 88th Cong., 1st sess.]

A BILL To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281(a)), is amended—

(1) by striking out “and 1963” and inserting in lieu thereof “, 1963, 1964, and 1965”;

(2) by striking out “, and for the 1963 crop year, other than” and inserting in lieu thereof “or”; and

(3) by striking out the last sentence thereof.

(b) The second sentence of subsection (b) of such section is amended to read as follows: “No lease shall be entered into for any period in excess of one crop year, but may be renewed from year to year if the parties so agree, except that no such renewal may be in effect for the 1966 and succeeding crop years.”

APRIL 2, 1963.

Hon. HAROLD D. COOLEY,  
Chairman, Committee on Agriculture,  
House of Representatives, Washington, D.C.

DEAR MR. COOLEY: This is in reply to your request of January 22, 1963, for a report on H.R. 100, a bill to amend the Agricultural Adjustment Act of 1938, as amended, to extend for 2 additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

This Department has no objection to the enactment of this bill if it is amended as hereinafter suggested.

Public Law 87-200 approved September 6, 1961, amended the Agricultural Adjustment Act of 1938, as amended, by adding a new section 316 which authorized, for the 1962 and 1963 crop years, the owner and operator of any farm for which a tobacco acreage allotment (other than a burley tobacco acreage allotment) is established to lease and transfer, on an annual basis, any part of such allotment to any other owner or operator of a farm in the same county for use in such county on a farm having a current tobacco allotment of the same kind. Public Law 87-824, approved October 15, 1962, amended Public Law 87-200 to remove the authority to lease and transfer cigar-filler and cigar-binder (types 42, 43, 44, 53, 54, and 55) tobacco allotments for the 1963 crop year.

During the 1962 crop year, tobacco acreage allotments were established for 572,462 farms, and the total acreage allotted was 1,235,510 acres. During that year, acreage allotments were leased from 20,347 farms to 17,148 farms. The total acreage leased in 1962 was 28,168 acres which was reduced to 25,571 acres through adjustment of yields as provided in Public Law 87-200. Thus, the total acreage approved for transfer in 1962 was about 2 percent of the total acreage allotted.

H.R. 100, if enacted, would extend the existing legislation for the lease and transfer of tobacco acreage allotments (other than a burley tobacco or a cigar-filler and cigar-binder (types 42, 43, 44, 53, 54, and 55) tobacco acreage allotments



for 2 additional crop years, except that the limitation with respect to Maryland tobacco, section (a)(3), would be stricken.

Section (a)(3) of H.R. 100 amends subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, by striking the last sentence thereof. The eliminated sentence prohibits the lease of Maryland (type 32) tobacco allotments from farms on which less than 75 percent of the allotments was planted during the years 1960 and 1961. Historically there has been considerable underplanting of Maryland tobacco allotments. The following table shows the acreage allotted and acreage harvested during the last 3 years.

Year	Acreage allotted	Acreage harvested
1962.....	49,746	41,500
1961.....	49,473	40,000
1960.....	48,696	37,500

During 1962, with the limitation in effect, only 24 leases and transfers for 65 acres were approved for Maryland tobacco. In view of the considerable underplanting of Maryland tobacco allotments, a significant increase in Maryland tobacco acreage, which could result in excessive supplies, would likely occur if the limitation were eliminated. Therefore, it is recommended that section (a)(3) of H.R. 100 be changed to read as follows:

“(3) by striking out the last sentence and inserting in lieu thereof the following: ‘In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 percentum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the two immediately preceding years.’ ”

Section (b) of H.R. 100 amends subsection 316(b) of the act in a manner inconsistent with the revised working suggested above, and should be stricken if the revised working is adopted. Should the revised wording not be adopted, it is suggested, for clarity, that the proviso in subsection 316(b) of the Act be retained.

It is not anticipated that the enactment of this proposed legislation would have any significant effect upon the expenditure of administrative funds or Commodity Credit Corporation capital funds.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

ORVILLE L. FREEMAN, *Secretary*.

## STATEMENT OF HON. D. R. MATTHEWS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. MATTHEWS. Mr. Chairman, I certainly want to thank you for this courtesy. I am not going to take the time of the committee to give the textual explanation of the bill, because we have the Department of Agriculture represented here.

Mr. Todd is here, and I know that he will give a thorough explanation of this bill.

This is an extension for 2 years of the present legislation, to permit the lease and transfer of tobacco acreage allotments. The measure has, I feel, the safeguards that we all desire in this program—it has safeguards to take care of, possibly, overproduction on land that has tobacco transferred to it and other matters that will be explained more fully by Mr. Todd.

Mr. Chairman, I introduced H.R. 100, which extended the lease and transfer provisions of the tobacco program and excepted the Maryland tobacco. It was my understanding that they did not want to be included.

The Chairman will remember that last year there was some feeling on the part of the Maryland tobacco producers that would indicate that perhaps they did not want to be included. It is not the purpose of this legislation to include tobacco growers in any area where they do not want to be included.

After I introduced H.R. 100 I found that my colleague from Maryland, Mr. Lankford, wanted to have the Maryland tobacco growers included, and so I introduced H.R. 5930 that includes the Maryland tobacco growers.

Now, that is the only difference between H.R. 100 and H.R. 5930.

It is my understanding that the Department of Agriculture has approved this change.

Mr. Chairman, Mr. Johnson, our colleague from Wisconsin, has shown a tremendous interest in these tobacco problems. You will recall that last year his tobacco growers had a particular problem, and the gentleman came to our committee and we accommodated him and his growers. Mr. Johnson—I yield to him for a moment—would like to ask, I think, a question about the bill.

Mr. ABBITT. We are glad to have you here on our committee this morning. We know how interested you are and your constituents are in this legislation.

Mr. JOHNSON of Wisconsin. As you will remember, I introduced legislation excluding the Wisconsin growers. Types 42, 43, 44, 53, 54, and 55 and burley type 31 were included in the legislation last year.

I have a letter from the Northern Wisconsin Cooperative Tobacco Pool which states in part:

It is our understanding that Congressman D. R. Matthews is placing a "clean tobacco bill" in the hopper which will have a hearing on Thursday, May 9, 1963. This bill will exclude burley type 31, as well as types 42, 43, 44, 53, 54, and 55, but will include Maryland type 32. Our main concern is that it excludes type 55, but I'm sure that all other types listed want to be excluded as in the prior law.

Mr. MATTHEWS. It is my understanding that it will be excluded.

Mr. JOHNSON of Wisconsin. It will be?

Mr. MATTHEWS. It is excluded. And I notice that I have affirmation from the representatives of the Department. So let me say again that it is excluded.

Mr. JOHNSON of Wisconsin. I would like, Mr. Matthews, on behalf of myself and the tobacco growers in Wisconsin, to thank you.

Mr. MATTHEWS. Thank you.

Mr. JOHNSON of Wisconsin. Our problem in Wisconsin is that we have too much tobacco.

Mr. MATTHEWS. Thank you, Mr. Johnson.

Mr. Johnson has, Mr. Chairman, well expressed the sentiment of his people. I know that the committee feels that if he needs more consideration from this committee on other matters, naturally we will be delighted to give it to him.

Mr. ABBITT. I understand that it is more or less the unanimous agreement of all of the tobacco growers up there that they want to be excluded.

Mr. JOHNSON of Wisconsin. After the passage of the legislation last year I received only one letter from a tobacco grower expressing criticism for introducing the legislation. All of the letters I received thanked me for having gotten the legislation through Congress.



Mr. ABBITT. You introduced one bill, it is my recollection.

Mr. JOHNSON of Wisconsin. Yes.

Mr. ABBITT. This bill, as we understand, does exclude it from this particular provision.

Thank you very much, Mr. Johnson.

Mr. MATTHEWS. Mr. Chairman, I will not take any more time of the committee. I am grateful to you for giving me this opportunity.

Mr. SHORT. I am always, Mr. Chairman, seeking information as a member of this committee trying to be helpful. As you know, we do not grow tobacco in North Dakota.

I am always amused and amazed that tobacco legislation many times is depicted as the classic example of a successful, compulsory supply management program. Some of us who would like something a little bit more along the line of a voluntary program for wheat are reminded that this has been extremely successful for tobacco and that we should recognize this principle.

Since I have been on this committee, I have been rather surprised to find how many exceptions, how many different areas are exempted from the provisions of the tobacco legislation. I believe that is true in Pennsylvania, I believe in several different areas, such as up in the area from which Mr. Johnson comes, which has just been mentioned.

The tobacco growers themselves came in and asked to be exempted from the program.

Mr. ABBITT. They asked to be exempted from it.

Mr. JOHNSON of Wisconsin. They did not want to be exempted from the program—they did not want the leases transferred. They were having too much tobacco as it was on the land that the people worked without having it transferred.

Mr. ABBITT. We will get the Department witness on the stand to explain what the bill is.

Mr. SHORT. If I might, Mr. Chairman, I would like just to indicate here the fact that we are considering a bill here today that provides for the lease and transfer of tobacco allotments. And we have the same type of thing for rice and for some of the other commodities, but we do not have, and never have had, any such thing as this for wheat.

If these exemptions from the strict supply management and strict control concept are good for tobacco, it would seem maybe that they should be good for some of the other commodities.

Mr. MATTHEWS. If you will yield, there is a distinction, as the chairman said.

Mr. SHORT. May I say this to my friend from Florida, that there is a strict application of the holding of the acreage allotments on the land to which they are applied in the first place, in relation to the wheat program. I cannot lease my wheat allotment to my neighbor and he cannot lease his wheat allotment to me.

I dislike to raise this question, but it is always a little bit puzzling to me to find these loopholes in what is depicted as a strict supply management program.

Mr. JOHNSON of Wisconsin. Our farmers are in the same position that your wheat farmers are. They do not want to transfer it, because we are getting too much tobacco.

Mr. ABBITT. The farmers who want to transfer this are in areas where there is a choice of particular kinds of tobacco. That is why they want to do that.

Mr. SHORT. They do not have any particular oversupply in certain classes?

Mr. ABBITT. That is right.

Do you desire to be heard before we hear from Mr. Todd?

Mr. FUQUA. I would appreciate it if I could be heard; yes, sir.

Mr. ABBITT. We will be glad to hear from you now, Mr. Fuqua. Proceed, sir.

**STATEMENT OF HON. DON FUQUA, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF FLORIDA**

Mr. FUQUA. Mr. Chairman and members of this subcommittee, I certainly want to thank you for the privilege of appearing before your subcommittee, and I think that I might answer some of the questions that the gentleman from North Dakota raised just a few minutes ago, particularly as they applied to my particular area of Florida.

I introduced H.R. 1916, but I would also like to address my remarks to Mr. Matthews' bill, H.R. 5930, which covers the Maryland growers.

I am sure you are already aware that the intention of this bill is to be of assistance to the small farmer in an economical production of tobacco and to increase the farm-family income made from this crop in cases where a farmer would make very little from his own farm's allotted acreage.

It is difficult for the tobacco grower to have a really profitable operation in this crop of less than several acres. I understand that this is not altogether true outside of the flue-cured belt. However, the tobacco farmer of my district produces the flue-cured type and it is on his behalf that I appear before you today and plead for your favorable consideration of this bill.

May I be allowed to reiterate this early in my statement, that the enactment of this legislation aids the farmer in obtaining a better income, and it is a help toward a more profitable operation for the small tobacco farmer. For instance, a tobacco-curing barn needs to be pretty well filled for the tobacco to cure out properly and evenly. We can even go back beyond the curing process and mention the fact that there are the costs involved with seed beds and their care.

Furthermore, in an effort to produce a more marketable type leaf, a farmer may find it necessary to irrigate and again this is a cost which must be met and overcome to realize a recognizable income. And then you have the problem of meeting the costs of irrigation.

There is even the case where the land on which the tobacco is grown may be improved upon by transferring an allotment of one farm to another farm. Therefore, it is obvious the advantages to be gained by a farmer combining his own tobacco with other acreage. Not only is this an advantage to him personally, but it can result in the production of a better tobacco since he has more finances he can afford to put into the crop and more finances for facilities that will improve the crop.

Enactment of this legislation will help in seeing tobacco acreage that might not be utilized brought into use by the lessee who needs those extra acres or merely wants to grow more tobacco. In Florida the 1962 statistics indicate there were allotments of 679 acres which



were one-half acre or less, 844 acres of 0.51 acre to 1 acre, 2,644 acres of 1 to 2 acres. This is a total of 4,167 acres of allotments of 2 acres or less, and this will probably be even more this year due to the 5-percent cut in the acreage allotments. It is these cases that we are making an effort to help the farmer and I am asking that you, gentlemen of this subcommittee, report favorably on this legislation, just as the Department of Agriculture has seen fit to do so.

Thank you again for this opportunity to speak on behalf of my bill, H.R. 1916, and on behalf of the interest of the tobacco farmer of my area.

To my knowledge there have not been any cases of violation. It has worked very well with the farmers. They have cooperated, I think— 100 percent in trying to do an honest job and not to try to have something with which they can circumvent the law or anything else. To my knowledge there have not been any administrative problems involved in this.

Thank you.

Mr. ABBITT. We appreciate very much your appearing here. I know that you are deeply interested in tobacco legislation. My recollection is that you represent part of the district that Congressman Dague and I went down to a tobacco hearing some years ago. You have a fine group of people there.

I understand they are all small acreage allotment farmers and intensely interested in their product.

Mr. FUQUA. Thank you, Mr. Chairman.

Mr. SHORT. Do I understand that this would permit the holders of small tobacco allotments to lease their allotments, that is, several small operators could lease their allotments to one large operator, or one operator could put them all together to make a large allotment?

Mr. FUQUA. This is true. It makes it possible for three or four operators to join together and to put their allotments on one piece of land whereby they can make it a more profitable operation. I think Mr. Todd can probably explain the more technical details better, but I did explain some of the small acreages that we have which are less than one-half an acre.

I think that there are over 4,000 acres that are less than 2-acre allotments, and with the high cost of irrigation and some of the other problems you have, it does make and present an economic hardship on these extremely small acreages. The farmer with 20 or 25 acres is in a good economic situation for having a profitable operation, but when you get down to one-half an acre, it is very hard to justify putting irrigation in and some of the other things that you need to make a quality crop.

Mr. ABBITT. As I understand, there are restrictions as to the lessee.

We would like to have for the record that information and Mr. Todd might tell us what those restrictions are.

Mr. TODD. No one can lease more than 5 acres. And never over 50 percent of the cropland in tobacco allotment.

Mr. ABBITT. One man can lease to the lessee only 5 acres?

Mr. TODD. That is right. And 50 percent of his cropland after the lease is added, the leased acreage is added to his total allotment, it cannot be more than 50 percent of the cropland in his farm.

Mr. ABBITT. He must have an allotment on his farm for that particular kind of tobacco; is that not right?

Mr. TODD. Yes.

Mr. ABBITT. It must have those three things.

Mr. TODD. As you will recall, there was considerable discussion about the safeguards 2 years ago when the original legislation was up. And all were put in by the committee.

Mr. SHORT. Do I understand you rightly that the total of the leased allotments cannot exceed 5 acres?

Mr. TODD. He cannot transfer.

Mr. FUQUA. He cannot transfer.

Mr. TODD. He cannot transfer over 5. He may have had 2 or 5 or 10 of his own to begin with on his own farm, but he cannot bring in more than 5 regardless of what he had when he started.

Mr. SHORT. The recipient of this?

Mr. TODD. That is what I am talking about.

Mr. SHORT. When it is combined, the total could not be more than 5?

Mr. TODD. Yes, regardless of what he had to start with, he cannot lease any more than 5 acres. Suppose he had 2 to start with, he can lease 5 to make 7, if he has 14 acres of cropland. If he has 20, he can lease 5 more, if he has 50 acres of cropland. However, there is no limit on how much a man can lease out, 5 acres, 15 acres. For example, I lease them to three different people. The limits are bringing it in, the lessee.

Mr. SHORT. Thank you.

Mr. ABBITT. I think the record ought to show that we do appreciate your coming here. Are there any other questions?

Mr. FUQUA. I appreciate your courtesy, Mr. Chairman.

Mr. ABBITT. Now, Mr. Todd, we will hear from you.

**STATEMENT OF JOSEPH J. TODD, DEPUTY DIRECTOR, TOBACCO  
POLICY STAFF, AGRICULTURAL STABILIZATION AND CONSER-  
VATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE**

Mr. TODD. Mr. Chairman and members, I am Joseph Todd, Deputy Director of the Tobacco Policy Staff of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture, and I have with me Mr. John A. Fridinger, of our General Counsel's Office, to defend me, in case you get too rough on me.

Mr. ABBITT. It is always good to have you with us. You have always been most cooperative with this subcommittee and the full committee. We appreciate your efforts.

Mr. TODD. It is always a pleasure for me to meet with this subcommittee to discuss proposed legislation on tobacco programs.

As I understood the notice, you actually have four bills, or three bills and one joint resolution. Maybe I can tell you a little bit about the difference between them.

Very briefly, H.R. 1916, H.R. 3405, and H.R. 5930 are all similar bills. Each seeks to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the present provisions permitting the lease and transfer of tobacco farm acreage allotments. The only significant difference between the three bills relates to Maryland



tobacco. I shall want to comment further on this difference a little later.

I think you also have House Joint Resolution 389 and this relates solely to the time in which a copy of the lease is required to be filed with the county committee. In order to avoid confusion, Mr. Chairman, I suggest that we withhold consideration of this resolution until later on.

Mr. ABBITT. You are going to tell us about the views of the Department to extend this for 2 additional years, that is the present law that expires this year?

Mr. TODD. Yes, sir.

I think, for the record, that we might review briefly the background leading up to the bills which are before you. Prior to the 1962 crop, there were no provisions for transferring tobacco allotments from one farm to another, except in the event a farm was acquired for some purpose other than the continued production of allotted crops by a Federal, State, or other agency having the right of eminent domain.

I believe in the original act of 1938 there is a certain provision for transferring quotas. We were on a poundage basis then, but it sort of indirectly said that they can be transferred only as provided in the regulations issued by the Secretary. We never did provide for the transfer of allotments until 1962, except for land removed from agriculture production.

Public Law 87-200 was approved September 6, 1961, and amended the Agricultural Adjustment Act of 1938, as amended, by adding a new section 316 which authorized, for the 1962 and 1963 crop years, the owner and operator of any farm for which a tobacco acreage allotment—other than a burley tobacco acreage allotment—is established to lease and transfer, on an annual basis, any part of such allotment to any other owner or operator of a farm in the same county for use in such county on a farm having a current tobacco allotment of the same kind.

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The total acreage leased in 1962 was 28,168 acres, which was reduced to 25,571 acres through adjustment of yields as provided in Public Law 87-200.

Thus the total acreage approved for transfer in 1962 was about 2 percent of the total acreage allotted.

You will recall that one of the other things that the committee considered that the tendency would be to lease the allotments to the high-yielding farms, so that you did put a provision in there whereby the county committee would adjust it to compensate for that.

Mr. ABBITT. That provision, as I understand it, is to permit the county committee to adjust it, to be sure that if they are going to lease a few more acres, there will not be more pounds produced than had been raised on the property.

Mr. TODD. That is right.

H.R. 1916, H.R. 3405, and H.R. 5930, seek to extend, for 2 additional years, the present provision permitting the lease and transfer of allotments for certain kinds of tobacco.

The Department has no objection to the enactment of such legislation.

Now, on the Maryland point, H.R. 1916 strikes out the last sentence of subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended. This sentence now reads as follows:

In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961.

H.R. 3405 strikes out "years 1960 and 1961" of this sentence and inserts in lieu thereof "2 preceding years."

H.R. 5930 amends the sentence to read:

In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years.

Historically, there has been considerable underplanting of Maryland tobacco allotments. For example, 48,696 acres were allotted last year, but only 37,500 acres were grown. Thus, the allotted acreage was underplanted by 23 percent. During 1962, with the limitation in effect, only 24 leases and transfers for 65 acres were approved for Maryland tobacco. In view of the considerable underplanting of Maryland tobacco allotments, a significant increase in Maryland tobacco acreage, which could result in excessive supplies, would likely occur if the limitation were eliminated. In view of this, the Department recommends that the special provision relating to Maryland tobacco be continued. The language contained in item (3) beginning on line 9 of H.R. 5930 accomplishes this purpose. This is the bill that Mr. Matthews was referring to.

Therefore, the Department recommends that this language be included in any bill the subcommittee reports out. Under this language, a Maryland tobacco allotment cannot be leased in 1964 or 1965 if it was leased in 1963.

Now, with respect to House Joint Resolution 389, would you prefer to discuss that now or later?

Mr. ABBITT. Let us leave that for the moment. Is there anything else that you want to say on the other bills? As I understand it, H.R. 5930, Mr. Matthews' bill, was introduced to conform to the recommendations of the Department.

Mr. TODD. Yes, sir; and the only significant change is relating to Maryland tobacco.

Mr. ABBITT. He originally introduced H.R. 100, which did not provide for Maryland tobacco.

Mr. TODD. That is right.

Mr. ABBITT. And the Maryland tobacco people want to be included.

Mr. TODD. The Maryland tobacco people want this limitation to keep a lot of this unused acreage on the edge of town from being leased down in the lower end of the county somewhere, because we



do not want that unused acreage that historically has been in Maryland as it has been in Wisconsin, planted. And in Mr. Matthews' district, for example, they plant 98 percent of their allotment. The lease and transfer does not add to the acreage grown down there, because they are using it all, anyway.

As to the small allotments that Mr. Fuqua referred to, if I had one and the reporter had one, I would probably go over there and grow the tobacco on his farm, because practically 98 percent of the allotted acreage is grown, but under this bill I can bring it over to my farm and grow it, which makes it easier for me to get to work and more convenient and more economical to handle. However, in Maryland, where we have this underplanting, we think we need some restrictions on it, because we would not want all of this acreage to have tobacco grown on it.

Mr. ABBITT. Which might result, if this restriction was not placed in there, in that fact.

Mr. TODD. Yes, sir.

Mr. ABBITT. For the benefit of those who have come in late, I might say to you that this bill simply extends this lease arrangement that we have for certain types.

Mr. TODD. For some kinds of tobacco.

Mr. ABBITT. For some kinds of tobacco; yes. It does not include burley, because the burley growers do not want it.

Mr. TODD. It does not include Ohio filler tobacco.

Mr. ABBITT. The main thing is that it includes the Flue-cured or Bright, the Dark-fired, and the Maryland tobacco.

Mr. TODD. Right.

And as to the cigar tobaccos in Connecticut and Massachusetts, it includes them. But they make very little use of it.

Mr. ABBITT. Are there any questions?

Mr. LATTA. Yes.

Is there a shortage of this type of tobacco?

Mr. TODD. No; there is no shortage. As I understand the legislation originally—the point I mentioned was that these small allotments would be permitted to get together to grow more economically.

Mr. LATTA. There is not any shortage of this type of tobacco that would be produced?

Mr. TODD. No, sir.

Mr. LATTA. Is there any kind of a surplus?

Mr. TODD. Yes; I think that we could say that there is a surplus at this time.

Mr. LATTA. How much of a surplus?

Mr. TODD. On some of them. I would not consider it as a burdensome surplus.

Mr. LATTA. How much of a surplus is there?

Mr. TODD. Well, that is hard to say.

Mr. LATTA. Does not the Department have a record of the surplus they might have?

Mr. TODD. We do not quite pinpoint it to the same degree, because it is customary to carry tobacco over, to age it for 2 or 3 or 4 years, and you have to predict what the usage is going to be in the future.

On Flue-cured tobacco, which accounts for more than one-half of the production, we reduced the acreage by 5 percent this year.

I would say we have more of a surplus in that. We have an acute problem on the quality of Flue-cured tobacco. There have been efforts on the part of some farmers to obtain the maximum acre yields, and they have injured their quality, so to speak. So that this year we are putting on quite an extensive campaign to try to improve the quality of the Flue-cured tobacco which, in effect, will also reduce the production, the quantity in poundage.

Mr. LATTI. How many pounds do you have in Commodity Credit Corporation stocks at the present time?

Mr. TODD. On Flue-cured tobacco we have a little better than 400 million pounds.

Mr. LATTI. 400 million pounds?

Mr. TODD. Yes.

Mr. LATTI. Would that be considered a surplus?

Mr. TODD. No, sir. I would not consider that all a surplus by any manner or means, because it is normal to age it from 2 to 3 to 4 years. Some of the buyers let the Commodity Credit Corporation carry it because otherwise they would have to pay the interest and the storage themselves if they had the tobacco. We do that. The selling price of the tobacco includes the interest and the storage costs to offset it.

In connection with the 400 million pounds, I think I should add that, of course, it is kind of a relative thing. We are now consuming—and that is our largest export type, too—and exporting a little better than 100 million pounds a month. So actually 400 million pounds is only a 4 months' supply in Commodity Credit Corporation stocks.

Mr. LATTI. What would happen with this acreage—some of it is over in Maryland where they want to plant this tobacco—if the provision were not in the law granting the right to lease—would that acreage just go out of production?

Mr. TODD. Yes; if it is not grown and not leased. We have a provision in our basic legislation on all commodities that you keep your allotment if you grow as much as 75 percent of it during any one of the preceding 3 years.

Mr. LATTI. Then it would naturally follow that if we did not pass this bill, we could cut down on this 400 million pounds surplus that we now have—is that right or not?

I just want to know whether I am right or wrong.

Mr. TODD. Will you repeat the question and let me see if I understand the question.

Mr. BRUCE. He is asking as to the 400 million pounds.

Mr. TODD. It is Flue-cured.

Mr. BRUCE. And most of the Maryland tobacco is bright leaf; is it not?

Mr. TODD. Maybe I should say that we have in the law about eight kinds of tobacco that are treated differently. There is no exchange of Maryland and Flue-cured allotments.

Mr. LATTI. Let me pin it right down. What type of tobacco would be covered by this bill, if passed? Do I understand you to say that there are 400 million pounds of this now in Commodity Credit Corporation stocks?

Mr. TODD. Right.

Mr. LATTI. If we did not pass this bill, we could possibly cut down the 400 million pounds; is that right or not?

Mr. TODD. Theoretically, yes, but actually, historically over the years we have been growing 98 percent of the allotments. Although

we leased 2 percent of the allotments last year, there was no significant increase in acreage, because it merely meant that they were bringing it from one farm to another. About 98 percent of the allotment is all that you can plant. There is no overplanting, significantly, anyway, because the penalties are prohibitive.

Mr. LATTA. But how many acres are involved in this bill?

Mr. TODD. Last year we leased about 2 percent of the total acreage in the United States.

Going again back to the Flue-cured tobacco, they leased 23,699 acres last year.

Mr. LATTA. How much?

Mr. TODD. That did not result in that many additional acres being grown, because they would have been grown anyway.

Mr. ABBITT. What is the total of the Flue-cured allotment?

Mr. TODD. Last year we had allotted 745,238 acres.

Mr. ABBITT. And we leased 23,699, is that your understanding?

Mr. TODD. That is a little better than 3 percent.

Mr. ABBITT. So far as Flue-cured tobacco is concerned, in all probability those 23,000 acres would have been grown anyhow. They would have been grown on the owners' farms rather than somebody leasing it from them.

Mr. TODD. That is the way we understand it.

The point that Mr. Fuqua made, as you know, in your part of the country, a half-filled barn of Flue-cured tobacco does not cure properly. You need to keep it pretty well full in order to get a proper cure on it.

Mr. ABBITT. A small allotment from 2 or 3 acres is very inconvenient to cure, because that results in a half-full barn.

Mr. TODD. Yes.

Mr. LATTA. I do not come from a tobacco-growing area, as you know, and I am not familiar with the subject; in fact, I do not know what you are talking about when you are talking about Flue-cured tobacco and these other varieties, but notwithstanding that, in dollars and cents, how much would these 400 million pounds come to?

Mr. TODD. It runs about as of now—you see, that tobacco had to be processed as soon as it is sold, and it loses 10 percent of its weight in moisture and we have to up the price—it will run about 80 cents a pound now.

Mr. LATTA. Eighty cents a pound?

Mr. TODD. Yes, sir.

Mr. LATTA. And that plus the carrying charge and the interest?

Mr. TODD. There is a loss in redrying and the cost of redrying and storage is added to it.

Mr. ABBITT. It is 50 cents or a little better.

Mr. TODD. Around 60 cents, I think.

Mr. STUBBLEFIELD. I represent in my district the smallest acreage tobacco people in the country of dark-fired tobacco, and this provision in this bill would be a matter of convenience to many of these farmers, so that they would not have to drive long distances in order to farm some additional acreage.

In addition to that, the small one-half acre allotment farmer cannot afford to put in irrigation for that amount of land. In the main, it is the convenience of it.

Mr. LATTA. May we go off the record?



Mr. ABBITT. Without objection, we may.

(Discussion off the record.)

Mr. ABBITT. Back on the record.

Mr. LATTA. Does the transfer of the tobacco acreage allotment mean a sale? This bill provides for that?

Mr. TODD. No; there is no provision in here for selling the allotment. That was discussed at the time the original legislation was up, 2 years ago, but it was decided to try it on an annual basis. The basic legislation which this does not change still makes it on an annual basis, but it can be renewed.

Mr. LATTA. It says lease and transfer.

Mr. FRIDINGER. That was an unfortunate choice of language when they said "transfer."

Mr. LATTA. As I understand, on some of the tobacco allotments they can.

Mr. TODD. No, sir. The only time it goes from the land is when it is taken out of agricultural production. Down in Mr. Stubblefield's district, for example, there are some large TVA dams where they took a lot of farms, and also interstate highways are taking a lot of farms, and the Air Force is taking some, too. Where that happened, the acreage went into a State pool and then is available for the displaced owner to put on any other land that he owns or acquires.

Mr. ABBITT. This does not do that?

Mr. TODD. No, sir.

Mr. ABBITT. That was in the original tobacco program legislation.

Mr. TODD. It was on an experimental basis. It may be all right now that we extend it for 2 years.

Mr. ABBITT. The suggestion was made that we try it for 1 year. We suggested that it be 2 years. We would not at the end of 1 year know what had happened.

Let me see if I have it right, so that there will not be any question about it. As I understand it, this simply provides that the landlord or the landowner can lease for 1 year his acreage of tobacco up to 5 acres to another landowner in the same county who has an allotment of the same kind of tobacco.

Mr. TODD. Right.

Mr. ABBITT. And the local committee would have to determine the poundage between the lessor and the lessee. It will not produce an overproduction; it will reflect the same amount?

Mr. TODD. Right.

Mr. ABBITT. Are there any other questions?

Those are all that I can think of right now.

Mr. FRIDINGER. That is a very good statement.

Mr. ABBITT. We went over all of this very carefully before. We spent several days on this. We tried to put in every possible safeguard, so that no additional poundage of tobacco would be raised but we realized that particularly in dark-fired tobacco, for instance, in Virginia, which raises only that type of dark-fired tobacco and they have perhaps 9,000 acres in the entire State, and they will not average over 1 or 2 acres per farm, the idea here is that a man would lease his tobacco and could bring it over and add it to his own and produce much more economically than otherwise.



The whole purpose was to try to cut down the cost of production on the tobacco, so that the farmer might make a little better income.

Mr. SHORT. There is a provision in H.R. 5930 in regard to Maryland tobacco and maybe this should be clarified along with your very good clarification of the Virginia situation.

Mr. ABBITT. Let us go off the record.

(Discussion off the record.)

Mr. ABBITT. On the record.

Mr. SHORT. Will you do this for the record?

Mr. ABBITT. Tell us exactly what H.R. 5930 provides by way of extension or restrictions for the Maryland type tobacco.

Mr. TODD. Historically we have a peculiar problem in Maryland. There was some discussion when the original bill was passed and I think it was put in at a meeting of the committee after the other provisions had been agreed to. Perhaps it is due to its proximity to the city of Washington and Annapolis and some defense projects in the southern end of the State.

It is right here in five or six counties in southern Maryland. Traditionally they have underplanted their allotments by about 11,000 acres, but we do not want those 11,000 acres to get into production. We do not need it.

They do not sell their crop until the following year in Maryland. They are now selling. They started about 3 weeks ago selling the 1962 crop.

And we are taking a little better than 20 percent under loan. We hope that is only a temporary condition, but apparently the dry weather last year did not make a good quality crop.

One of our best markets for Maryland tobacco is Switzerland. They demand the top quality tobacco. There is some talk that there is not too much of the Swiss grades in the crop. But traditionally they have underplanted their allotment. In Flue-cured tobacco, which accounts for one-half of the U.S. production, and burley, which is the second largest, they traditionally grow 98 percent of the allotment. That is about as close as you can get, because most farmers underplant or attempt to do so, to play it safe, but we do have this underplanting problem in Maryland.

It is right here on the edge of town in Prince Georges County, one of the largest counties of Maryland. A man cannot get labor out here, and maybe a man in the southern end of the county can. And so the additional 11,000 acres could get into production. So we put that provision in the original law, that you cannot lease it. Some of this is even covered with buildings on lots out here. We cannot wipe it out for 5 years, however.

Under this lease and transfer provision, as soon as you lease out your acreage, you get credit for growing it. I think the reason you put that in there, Mr. Chairman, is that you lost control of it and if the other fellow neglected to grow it, you lost your history. So we are waiting for this 3-year-period provision to catch these out here so we can wash them out, but if that acreage should get grown, we would be in trouble. So we put this provision in there that you cannot lease it. Generally it provides that you cannot lease Maryland tobacco allotments unless you have been growing. That is to keep those 11,000 acres from getting back into production.

Does that explain it?

Mr. SHORT. Yes.

The bill says unless at least 75 percent of the allotment of the farm was actually planted on such farm during each of the 2 immediately preceding years.

Mr. TODD. The latest bill of Mr. Matthews is all right.

Mr. SHORT. That is the bill I am reading from, H.R. 5930.

Mr. TODD. Beginning on line 9, item No. 3, in H.R. 5930, that is all right—that will put some strings on it. And so does Mr. Lankford's bill which I believe is H.R. 3405. One of the other bills does not have that provision in it.

Mr. ABBITT. H.R. 5930 is the one we are talking about and that is the last bill that Mr. Matthews introduced.

Mr. TODD. That is all right, but if the subcommittee should report out one of the other bills, we would recommend that they have that provision in it that is in H.R. 5930.

Mr. ABBITT. And the purpose of that is to prevent this idle land from producing, from getting into the program and increasing the amount of tobacco that is already being grown.

Mr. TODD. Right. It is my information that the Maryland people are agreeable to that. As a matter of fact, Mr. Lankford has that in a little different wording, but substantially it is the same thing.

Mr. ABBITT. I have a letter that I would like to read and then I will ask that it be placed in the record after Mr. Todd's testimony.

It is addressed to me and is dated May 9, 1963, and states:

I am extremely sorry that I will be unable to appear before your subcommittee this morning in behalf of my bill, H.R. 3405, but prior commitments necessitate my absence.

Nevertheless, I want to convey to you my wholehearted support for my bill and related measures extending the Agriculture Adjustment Act of 1938 as it pertains to tobacco grown in southern Maryland (type 32). I would also like to lend my support to recommendations of the Department of Agriculture regarding type 32 tobacco which you recently received in connection with H.R. 100 introduced by our colleague, Representative Matthews.

I have gone over the Department's proposals with the leaders in the tobacco industry in southern Maryland and we have found the recommendations relating to Maryland tobacco entirely acceptable. Therefore, I hope it will be possible for your subcommittee to incorporate these provisions in the legislation which you report.

Kindest personal regards.

And that is from our colleague, Richard E. Lankford, Member of Congress.

Mr. DAGUE. H.R. 3405 does not have that language.

Mr. SHORT. It is different language, but maybe it accomplishes the same thing. I think the committee, however, should be sure, Mr. Chairman.

Mr. TODD. They are designed to accomplish the same thing. I think it is just a difference in wording.

Mr. ABBITT. H.R. 5930 does accomplish the purposes you are talking about?

Mr. TODD. Yes, sir.

Mr. ABBITT. Are there any other questions of Mr. Todd?

Mr. LATTA. As I understood you to say, it does not affect Ohio tobacco?

Mr. TODD. I beg your pardon?

Mr. LATTA. Does this bill affect Ohio tobacco or not?

Mr. TODD. They have two kinds of tobacco. They have some burley tobacco along the Ohio River in southern Ohio. The problem we had last year was on the cigar tobacco, which is grown in four counties around Dayton, Ohio.

Under the present legislation this does not apply to either of those and this would not change it.

Mr. LATTA. May we go off the record?

Mr. ABBITT. Yes.

(Discussion off the record.)

Mr. ABBITT. On the record.

Mr. DAGUE. This bill does not affect Pennsylvania, does it?

Mr. TODD. It has no effect on Pennsylvania.

Mr. SHORT. May we go off the record?

Mr. ABBITT. Yes.

(Discussion off the record.)

Mr. ABBITT. On the record.

Are there any further questions of Mr. Todd?

Mr. TODD. On the Maryland thing again, there is a little different wording, a little difference in the wording between Mr. Lankford's bill and H.R. 5930, but in substance they are the same thing. It is to prevent this unused acreage from getting back into production. To me they are in substance the same.

Mr. ABBITT. H.R. 5930 simply says as to Maryland tobacco that the allotment to the farm cannot be leased to a lessee unless at least 75 percent of it was actually planted each year 1960 and 1961, nor shall a farm be under lease for 1964 and 1965 for Maryland tobacco unless 75 percent of the allotment was actually planted on such farm in each of the 2 preceding—the 2 immediately preceding years.

Mr. TODD. Yes, sir; if he had leased it out in 1963, he could not.

Mr. BRUCE. That is only a 1-year lease. You cannot lease it but for 1 year, because your back planting provision cuts you off.

Mr. TODD. That is it. It is designed to be just that tight. That is real tight because of the potential problem out there.

Mr. SHORT. Which language would you prefer?

Mr. FRIDINGER. I think that it is an administrative question, Mr. Short. What this bill does is to say that unless on his farm he has planted 75 percent of his allotment in the immediately preceding 2 years, he cannot lease. That means he can have leased it out, but he still cannot lease it now.

I assume that the Department prefers this language, because they are afraid of allotments on properties that now have houses on it.

Mr. BRUCE. You would prefer the language of H.R. 5930?

Mr. TODD. We are satisfied with the language in H.R. 5930.

Mr. FRIDINGER. The Department is satisfied with that.

Mr. ABBITT. Are there any other questions?

If not, the subcommittee will now consider House Joint Resolution 389.

(Whereupon, at 11:15 a.m., the subcommittee proceeded to consider H.J. Res. 389.)





## EXTEND THE TIME BY WHICH A LEASE TRANSFERRING A TOBACCO ACREAGE ALLOTMENT MAY BE FILED

THURSDAY, MAY 9, 1963

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON TOBACCO OF THE  
COMMITTEE ON AGRICULTURE,  
Washington, D.C.

The subcommittee met, pursuant to notice, at 11:15 a.m., in room 1310, Longworth House Office Building, Hon. Watkins M. Abbitt (chairman of the subcommittee) presiding.

Present: Representatives Abbitt, Stubblefield, Rosenthal, Leggett, Dague, Short, Latta, and Hutchinson.

Also present: Martha Hannah, staff; and Robert Bruce, assistant counsel.

Mr. ABBITT. The subcommittee will be in order. I believe that it would be better to hear from you now on House Joint Resolution 389, Mr. Fuqua, if you would like to be heard first on this.

(H.J. Res. 389 follows:)

[H.J. Res. 389, 88th Cong., 1st sess.]

JOINT RESOLUTION To amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 316 of the Agricultural Adjustment Act of 1938 is amended by adding thereto a new subsection (h) to read:

“(h) Notwithstanding the provisions of subsection (c) relating to the filing of a lease with the county committee, the lease and transfer of an allotment for the 1963 crop year shall be effective if, (1) the Secretary finds that a lease in compliance with the provisions of this section was agreed upon prior to the normal planting time in the county, as determined by the Secretary, or June 15, 1963, whichever is earlier, and (2) the terms of the lease are reduced to writing and filed in the county office in which the farms involved are located within twenty days of the date this subsection becomes law.”

### STATEMENT OF HON. DON FUQUA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. FUQUA. Thank you, Mr. Chairman.

Just briefly, I think that Mr. Todd and the Counsel from the Department can, probably, answer better than I can.

This is an identical bill as was introduced last session by Mrs. Blich, of Georgia, and also in the Senate by Senator Talmadge.

Mr. ABBITT. And that bill was passed.

Mr. FUQUA. It was passed; yes, sir.

My bill proposes to extend it. I understand the Department would like to amend it for 1964 and 1965.

There happens to be a man, a constituent of mine and I am sorry that he could not be here today—but I am sure that he would be on

his knees begging you. And being a farmer myself, I know how this happens as it happens with income tax returns and some of the other things that we forget to get ready on the date they are supposed to.

He forgot to go to the ASC office and verify that he had completed his lease and transfer. He had his tobacco planted. His lease actually amounts to 2.75 acres.

I am sure there are, probably, other people in the belt—very few, I understand, in the same situation. In Georgia last year there were some—I do not remember how many, but I understand, probably, less than 10 that this involved. Inadvertently, he forgot. I do not think it was intentional.

He had an agreement with his father. He transferred 2.75 acres to his farm. I asked the man if there was any possibility if he could plant it on his father's land. But it was actually too late to do this. He did not have irrigation on his father's land whom he leased it from.

This bill provides that if it is determined by the county ASC committee and the Secretary of Agriculture that he had entered into this type of agreement prior to the planting of it—if he can prove this to them that he has entered into some kind of an agreement, and he can satisfy the committee and so forth, then he will be permitted, or, this will permit him to prove the transfer of the lease.

I certainly, do not want to do anything that would open the gap up for someone to come in and abuse this privilege. I, certainly, would be one of the first Members of the Congress to act to repeal any act if I felt that it did do anything like that, because I do not believe in this type of operation, but I think that this is a justifiable case where a man inadvertently forgot to go to the county office at the proper time and when the deadline had passed he could not do it.

The Department has no jurisdiction whereby they can waiver this. The only way it can be done is by an act of Congress to change this.

I, certainly, have no objection to amending this bill to apply to 1964 and 1965, to those crops for those years, which will carry it through the provision of the extension of 2 years on this bill, if this bill passes.

Mr. Chairman, I think Mr. Todd and the other gentleman can explain the technical details of this bill better than I can.

Mr. ABBITT. I understand, Mr. Todd, that the present law for 1963 provides that the lease has to be filed with the county not later than—

Mr. FUQUA. It varies on the planting time—depending upon the planting time in the various counties.

Mr. TODD. On flue-cured tobacco it is April 1.

Mr. ABBITT. So as of April 1 everybody who has leased tobacco has to file a written lease with the county committee, so that there will be a record of it. And in your particular instance your man failed to file the lease with the county committee by April 1?

Mr. FUQUA. That is right.

Mr. ABBITT. That is, for the leased tobacco land and he had planted tobacco?

Mr. FUQUA. Yes.

Mr. ABBITT. And unless we give him some relief he is out.

Mr. FUQUA. That is right.



Mr. ABBITT. And this states:

Notwithstanding the provisions of subsection (c) relating to the filing of a lease with the county committee, the lease and transfer of an allotment for the 1963 crop year shall be effective if, (1) the Secretary finds that a lease in compliance with the provisions of this section was agreed upon prior to the normal planting time in the county, as determined by the Secretary.

In other words, the Secretary himself must make that finding, as I understand it.

Mr. FUQUA. He has to come in within 20 days after this becomes the law to substantiate it.

Mr. ABBITT. Will the members withhold their questions until Mr. Todd can give us the facts on this? You might tell us what it does and how many people might take advantage of it.

**STATEMENT OF JOSEPH J. TODD, DEPUTY DIRECTOR, TOBACCO POLICY STAFF, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE.**

Mr. TODD. Very well, sir.

As the Congressman has said this resolution merely extends the time by which a lease transferring a tobacco allotment may be filed with the county committee.

Present legislation provides that:

Such lease and transfer shall not be effective unless a copy of the lease is filed with the county committee prior to a closing date established by the Secretary, which date shall be no later than the normal planting time in the county.

That is the law.

Now Department regulations require, to be effective, that a copy of the lease be filed with the county committee not later than April 1 for the States of Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia, and not later than May 1 for all other States.

This provision is designed to prevent any farmer from planting tobacco in excess of his allotment and then as soon as we start measuring to go shopping around for a tenth of an acre here and a tenth of an acre somewhere else to cover his excess.

We attempted to inform farmers of the closing date for execution of leases and the fact that a copy of the lease was required to be filed with the county committee by the closing date. However, soon after we started measuring tobacco acreages some leasing arrangements had been made but had not been reduced to writing and copies had not been filed with the county committee.

Since planting time was passed, the Department could not afford these farmers any relief by administrative action.

Then, as you say, legislative action was then initiated to provide relief. Public Law 87-530, approved July 10, 1962, provides as follows:

(g) Notwithstanding the provisions of subsection (c) relating to the filing of a lease with the county committee, the lease and transfer of an allotment for the 1962 crop year shall be effective if, (1) the Secretary finds that a lease in compliance with the provision of this section was agreed upon prior to the normal planting time in the county, as determined by the Secretary, or June 15, 1962, whichever is earlier, and (2) the terms of the lease are reduced to writing and filed in the county office in which the farms involved are located within 20 days of the date this subsection becomes law.

The report of the Committee on Agriculture recommending approval of this legislation, contained the following and I quote:

The amendment made by the committee will make the action authorized hereunder the direct responsibility of the Secretary of Agriculture instead of the responsibility of the county committee, with the approval of a representative of the State committee, as provided in the Senate bill. The committee believes that in this matter the Secretary should be assured to his personal satisfaction that the leases comply in all respects with the requirements of the statute and the Secretary's regulations issued thereunder.

The Department opposes the requirement that the Secretary, personally, be assured that each individual lease meets all the requirements of the law and the regulations. We recommend, therefore, that if House Joint Resolution 389 is reported favorably that the report not contain any such requirement as was in there last year.

House Joint Resolution 389 affords similar relief for late filed leases for 1963 as Public Law 87-1530 afforded for 1962 leases. We have heard of two instances in which farmers say they were not aware that a new lease had to be filed with the county committee in 1963 in order for the lease and transfer of the tobacco allotment to be effective for 1963.

The Department does not oppose such legislation. We suggest, however, that the subcommittee may want to make some provision, also, for the life of the lease and transfer bill since the question is likely to come up again each year. The lease and transfer bill is for 2 years.

Again, the Department does not oppose this sort of legislation. We repeat, however, that we recommend that no provisions be included to require the personal approval of the Secretary of late filed leases.

I thank you.

Mr. ABBITT. I know that the law does require that they have to be filed with the Secretary. He would be satisfied with what the committee said.

Mr. SHORT. It puts an additional burden on the Secretary, unless that provides the possibility of further security of preventing any abuse.

Mr. TODD. We think that this can be handled administratively. It was not in the law last year. It was in the committee report. It meant that we had to delay approval of these late filings. There were 45 of them filed under this bill last year.

Mr. ABBITT. And that was out of 23,000?

Mr. TODD. There is a total of 20,000 leases and 45 of them were late filed. This provision in the committee report said that the Secretary should be assured to his personal satisfaction that the lease complied in all respects with the requirements of the statute. That meant that we had to get a sizable questionnaire filled out to cover all of these protective devices we have in the original law, and then each one of them had to be personally approved by the Secretary.

Mr. ABBITT. If you got that out of the report?

Mr. TODD. That would be fine. The county committee establishes the allotment in the first place and it has to be approved by a representative of the State committee.

Mr. ABBITT. He has to approve it.

Mr. TODD. And then if they can establish the original allotment, why cannot they approve a transfer for 1 year?

Mr. ABBITT. I know that they can.



Mr. TODD. I think there were extenuating circumstances and I think there were some other questions on the transfer of other allotments or were at the time that the bill was considered last year.

Mr. FRIDINGER. May we go off the record?

Mr. ABBITT. Yes.

(Discussion off the record.)

Mr. ABBITT. Why not put in if the county committee finds and approves?

Mr. FRIDINGER. That is right.

Mr. TODD. We will put some protection in the instructions to the State and county committees. We will look after that.

Mr. ABBITT. Does anybody object to putting that in on line 9 that the county committee finds and the State committee approves. That is what you are suggesting.

Mr. FRIDINGER. That is right.

Mr. ABBITT. And let the county and the State committees do it rather than the Secretary.

Mr. FRIDINGER. That is right.

Mr. ABBITT. Do you have any objection to that?

Mr. FUQUA. No.

Mr. ABBITT. Does anyone have any objection to that?

All right, you say there were only 45 people that availed themselves of it?

Mr. TODD. Yes.

Mr. FUQUA. I think, probably, there will be less people involved this time. I think that the farmers are getting used to filing a lease, just like an income tax return and to meet other deadlines that we are always caught late with.

Mr. FRIDINGER. I would like to make two more points, if I may.

Mr. ABBITT. All right.

Mr. FRIDINGER. I think this should be extended for the years 1964 and 1965 so that you do not get the same problem next year, gentlemen. And I think that for 1964 and 1965 years it should be 60 days after normal planting time as determined by the Secretary, so that we will have a date.

Mr. TODD. I have some language here if you want to consider it.

Mr. ABBITT. I think it would be well.

Mr. FRIDINGER. I can read the resolution as I am suggesting revising it.

Mr. ABBITT. I would like to know exactly what kind of language you would want in this. Would it be the ASC county committee?

Mr. TODD. The county committee is all right; that is defined earlier.

Mr. ABBITT. That is all right?

Mr. TODD. Yes.

Mr. ABBITT. If the county committee finds and the State committee approves?

Mr. FRIDINGER. If the county committee finds, with a representative of the State committee.

Mr. ABBITT. All right. Put the county committee in there. And you say?

Mr. FRIDINGER. With the approval of the representative of the State committee. It fits in with the procedure a little better.

Mr. ABBITT. All right. The representative of the State committee.

Mr. FRIDINGER. Yes.

Mr. SHORT. Who is the State representative?

Mr. FRIDINGER. Somebody authorized by the State committee to do this job.

Mr. SHORT. It could be one of the field supervisors?

Mr. FRIDINGER. It could be.

Mr. TODD. That is so as not to delay the approval until it goes into the State committee. They meet only once every 2 weeks. They have a fieldman who is the liaison between the county and the State committees. He usually approves something like this.

Mr. FUQUA. I have another meeting. I thank you for your indulgence.

Mr. ABBITT. Thank you for being here.

Do you have something that you would like to add?

Mr. TODD. Mr. Chairman, may I mention one other thing, sir?

Mr. ABBITT. Yes.

Mr. TODD. I just want you to know what we are doing. There is nothing in the law about amending the lease when it is once filed or when they are dissolving the lease. I do not think it needs to be in the legislation, as we have by departmental regulation permitted them, for example, suppose that the allotment last year was on flue cured and that was increased across the board, after the leases were filed.

So we have provided in our regulations that they can amend the lease or dissolve the lease, anything they want to do, up to the closing date.

Mr. ABBITT. That is all right.

Mr. TODD. I did want to get this in the record so that you knew what we were doing and that we were doing that. There is nothing in the law that says that, but since it is optional with the parties we think that the law is broad enough in that it says that it shall be such terms as the lessor and the lessee agree to, so we have permitted them to change or to dissolve them up to the closing date.

Mr. ABBITT. That is all right.

Mr. FRIDINGER. Mr. Chairman, I do not think that we can give them the right to cancel at harvest time, to switch the tobacco around.

May I ask one more question about something that I am not clear on? Is House Joint Resolution 389, as you have amended it, to apply to the 1964 and 1965 years?

Mr. ABBITT. I will wait and take that up with these gentlemen of the committee.

Mr. FRIDINGER. I see.

Mr. ABBITT. To see what they think about it.

Thank you so much, gentlemen.

The committee will now go into executive session. We appreciate both of you coming here.

Mr. TODD. Thank you, Mr. Chairman.

Mr. ABBITT. We will now go into executive session.

(Whereupon, at 11:35 a.m., the subcommittee proceeded into executive session.)

LEGISLATIVE HISTORY

Public Law 88-68  
S. 581

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## INDEX AND SUMMARY OF S. 581

- Jan. 9, 1963 Rep. Matthews introduced H. R. 100 which was referred to House Agriculture Committee. Print of bill as introduced.
- Jan. 17, 1963 Rep. Fuqua introduced H. R. 1916 which was referred to House Agriculture Committee. Print of bill as introduced.
- Jan. 29, 1963 Sen. Holland introduced S. 581 which was referred to Senate Agriculture and Forestry Committee. Print of bill as introduced.
- Apr. 29, 1963 Rep. Matthews introduced H. R. 5930 which was referred to House Agriculture Committee. Print of bill as introduced.
- May 9, 1963 House subcommittee voted to report H. R. 5930.
- May 28, 1963 House committee voted to report H. R. 5930.
- June 4, 1963 House committee reported H. R. 5930 with amendment. H. Rept. 360. Print of bill and report.
- June 17, 1963 House passed over H. R. 5930.
- June 19, 1963 Senate Agriculture and Forestry Committee voted to report S. 581.
- June 20, 1963 Senate committee reported S. 581 with amendments. S. Rept. 286. Print of bill and report.
- June 25, 1963 Senate passed S. 581.as reported.
- July 8, 1963 House passed S. 581, in lieu of H. R. 5930.
- July 19, 1963 Approved: Public Law 88-68.



THE HOUSE OF REPRESENTATIVES  
1906

# H. R. 100

IN THE HOUSE OF REPRESENTATIVES

February 1, 1906

REPORT OF THE SELECT COMMITTEE ON THE  
MONEY MARKET

## A BILL

FOR THE REGULATION OF THE MONEY MARKET  
AND THE CURRENCY OF THE UNITED STATES  
AND FOR THE REGULATION OF THE BANKING  
AND FINANCIAL SYSTEM OF THE UNITED STATES

As passed by the House of Representatives  
January 1, 1906





88TH CONGRESS  
1ST SESSION

# H. R. 100

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1963

Mr. MATTHEWS introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That (a) subsection (a) of section 316 of the Agricultural  
4       Adjustment Act of 1938, as amended (7 U.S.C. 1281 (a) ),  
5       is amended—

6               (1) by striking out “and 1963” and inserting in  
7       lieu thereof “, 1963, 1964, and 1965”;

8               (2) by striking out “, and for the 1963 crop year,  
9       other than” and inserting in lieu thereof “or”; and

10              (3) by striking out the last sentence thereof.

1       (b) The second sentence of subsection (b) of such  
 2 section is amended to read as follows: "No lease shall be  
 3 entered into for any period in excess of one crop year, but  
 4 may be renewed from year to year if the parties so agree,  
 5 except that no such renewal may be in effect for the 1966  
 6 and succeeding crop years.

88TH CONGRESS  
 1ST SESSION

H. R. 100

## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments.

By Mr. MATTHEWS

JANUARY 9, 1963

Referred to the Committee on Agriculture



# H. R. 1916

IN THE HOUSE OF REPRESENTATIVES

January 6, 1916.

The House considered the following bill, introduced by Mr. [Name], of [State], and passed it on January 6, 1916.

## A BILL

To amend the Agricultural Adjustment Act of 1916, and to provide for the payment of certain benefits to certain agricultural producers.

1. That the Secretary of Agriculture shall, on or before January 1, 1916, determine the number of the [Name] of [State] who are entitled to the benefits provided for in this Act.
2. That the Secretary of Agriculture shall, on or before January 1, 1916, determine the number of the [Name] of [State] who are entitled to the benefits provided for in this Act.
3. That the Secretary of Agriculture shall, on or before January 1, 1916, determine the number of the [Name] of [State] who are entitled to the benefits provided for in this Act.



88TH CONGRESS  
1ST SESSION

# H. R. 1916

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 1963

Mr. FUQUA introduced the following bill; which was referred to the Committee on Agriculture

---

## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That (a) subsection (a) of section 316 of the Agricultural  
4       Adjustment Act of 1938, as amended (7 U.S.C. 1281 (a) ),  
5       is amended—

6               (1) by striking out “and 1963” and inserting in  
7       lieu thereof “, 1963, 1964, and 1965”;

8               (2) by striking out “, and for the 1963 crop year,  
9       other than” and inserting in lieu thereof “or”; and

10              (3) by striking out the last sentence thereof.



1       (b) The second sentence of subsection (b) of such  
 2 section is amended to read as follows: "No lease shall be  
 3 entered into for any period in excess of one crop year, but  
 4 may be renewed from year to year if the parties so agree,  
 5 except that no such renewal may be in effect for the 1966  
 6 and succeeding crop years.

88TH CONGRESS  
 1ST SESSION

**H. R. 1916**

## **A BILL**

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments.

By Mr. FUQUA

JANUARY 17, 1963

Referred to the Committee on Agriculture

S. 581

IN THE SENATE OF THE UNITED STATES

January 10, 1890.

REPORT  
OF THE COMMISSIONERS OF THE GENERAL LAND OFFICE,  
IN RESPONSE TO A RESOLUTION OF THE SENATE,  
PASSED MAY 1, 1889.

A BILL

TO AMEND THE ACT, APPROVED JULY 1, 1882,  
RELATIVE TO THE LANDS BELONGING TO THE  
UNITED STATES, AND TO AMEND THE ACT,  
APPROVED JULY 1, 1882,

TO AMEND THE ACT, APPROVED JULY 1, 1882,  
RELATIVE TO THE LANDS BELONGING TO THE  
UNITED STATES, AND TO AMEND THE ACT,  
APPROVED JULY 1, 1882,





88TH CONGRESS  
1ST SESSION

# S. 581

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## IN THE SENATE OF THE UNITED STATES

JANUARY 29 (legislative day, JANUARY 15), 1963

Mr. HOLLAND introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

---

## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That (a) subsection (a) of section 316 of the Agricultural  
4       Adjustment Act of 1938, as amended (7 U.S.C. 1281 (a) ),  
5       is amended—

6               (1) by striking out “and 1963” and inserting in  
7       lieu thereof “, 1963, 1964, and 1965”;

8               (2) by striking out “, and for the 1963 crop year,  
9       other than” and inserting in lieu thereof “or”; and

10              (3) by striking out the last sentence thereof.

## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments.

By Mr. HOLLAND

JANUARY 29 (legislative day, JANUARY 15), 1963  
Read twice and referred to the Committee on  
Agriculture and Forestry

1 (b) The second sentence of subsection (b) of such  
2 section is amended to read as follows: "No lease shall be  
3 entered into for any period in excess of one crop year, but  
4 may be renewed from year to year if the parties so agree,  
5 except that no such renewal may be in effect for the 1966  
6 and succeeding crop years.

# H. R. 5930

IN THE HOUSE OF REPRESENTATIVES

June 28, 1906

Mr. [Name] introduced the following bill for the purpose of  
[Title of Bill]

## A BILL

to amend the provisions of the [Act of 1904] relating to  
the [Title of Bill] and for other purposes.

Enacted by the Senate and House of Representatives  
of the United States of America in Executive Session  
on June 21, 1906. Approved June 21, 1906.





88TH CONGRESS  
1ST SESSION

# H. R. 5930

## IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1963

Mr. MATTHEWS introduced the following bill; which was referred to the Committee on Agriculture

## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 That (1) subsection (a) of section 316 of the Agricultural  
4 Adjustment Act of 1938, as amended, is further amended—

5 (1) by striking out “and 1963” and inserting in  
6 lieu thereof “, 1963, 1964, and 1965”;

7 (2) by striking out “, and for the 1963 crop year,  
8 other than” and inserting in lieu thereof “or”; and

9 (3) by striking out the last sentence and inserting  
10 in lieu thereof the following: “In the case of Maryland

1 (type 32) tobacco, no farm shall be eligible for lease of  
 2 1962 or 1963 allotment from the farm unless at least  
 3 75 per centum of the allotment for the farm was actually  
 4 planted during each of the years 1960 and 1961, nor  
 5 shall a farm be eligible for lease of 1964 or 1965 Mary-  
 6 land tobacco allotment from the farm unless at least 75  
 7 per centum of the allotment for the farm was actually  
 8 planted on such farm during each of the two immediately  
 9 preceding years.”; and

10 (2) Subsection (b) of such section, as amended, is  
 11 amended to read as follows: “(b) Any lease shall be made  
 12 on an annual basis and on such terms and conditions, except  
 13 as otherwise provided in this section, as the parties thereto  
 14 agree.”



88<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 5930

## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

By Mr. MATTHEWS

APRIL 29, 1963

Referred to the Committee on Agriculture







May 9, 1963

11. FOREIGN AFFAIRS ACADEMY. Sen. Yarborough urged enactment of legislation to provide for establishment of a National Academy of Foreign Affairs and inserted an editorial supporting the proposal. p. 7722
12. ECONOMIC GROWTH. Sen. Dirksen inserted a lecture on economic growth by Dr. Raymond J. Saulnier, "The Dialog on Growth Continued." pp. 7718-21
13. RESEARCH; NOMINATION. Confirmed the nomination of Leland J. Hayworth to be Director of the National Science Foundation for a term of six years. p. 7738
14. ASSISTANT SECRETARIES. Both Houses received from HEW a proposed bill to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare; to S. Labor and Public Welfare and H. Interstate and Foreign Commerce Committees. pp. 7705, 7707  
The Finance Committee reported without amendment S. 1359, to provide for an additional Assistant Secretary in the Treasury Department (S. Rept. 173). p. 7708
15. TARIFF. Received from the Tariff Commission the third supplemental report on the tariff classification study. p. 7707
16. PERSONNEL. Received from the Civil Service Commission a proposed bill "to amend the Federal Employees Health Benefits Act of 1959"; to Post Office and Civil Service Committee. p. 7707
17. ADJOURNED until Mon., May 13. p. 7779

HOUSE

18. APPROPRIATIONS. The "Daily Digest" states that "Conferees, in executive session, agreed to file a second conference report on the differences between the Senate-and House-passed versions of H. R. 5517," the supplemental appropriation bill for 1963. p. D311
19. PACKERS AND STOCKYARDS. The Agriculture Committee reported without amendment H. E. 5860, to amend the Packers and Stockyards Act so as to provide that the authority of the Secretary shall not apply to deductions from the sales proceeds of financing promotion or research activities relating to livestock, meats, and other products covered by the Act (H. Rept. 284). p. 7705
20. TOBACCO. The Tobacco Subcommittee of the Agriculture Committee voted to report to the full committee H. R. 5930, to extend for two additional years the provisions permitting the lease and transfer of tobacco acreage allotments, and H. J. Res. 389 (a clean measure to be introduced), to extend the time by which a lease transferring the allotment may be filed. p. D310
21. TEXTILE IMPORTS. Rep. Sikes "set forth a resume of the significant actions of the President and the Congress during the past 2 years on the textile import problem." pp. 7686-8
22. AREA REDEVELOPMENT. The report of the Banking and Currency Committee on H. R. 4996, to amend the Area Redevelopment Act (see Digest 66), states that the bill includes seven major provisions as follows:

"Raise the limit on each of the two industrial loan funds (one for urban areas and one for rural areas) from \$100 million to \$250 million.

"Increase the ceiling on public facility loans from \$100 million to \$150 million.

"Place all ARA loan programs on an appropriations basis and eliminate the authority for direct Treasury financing.

"Increase the amount which may be appropriated for public facility grants from \$75 million to \$175 million.

"Raise the limit on annual appropriations for technical assistance from \$4.5 million to \$10 million.

"Permit the 10 percent of the financing of industrial projects which must be met by a local public or semipublic body to be repaid over the same period as the Federal share of financing. (Existing law requires that this local loan cannot be repaid until the Federal loan is fully retired which may be as long as 25 years.)

"Require that construction workers on any projects financed under ARA be paid prevailing wages as required by the Davis-Bacon Act."

23. ELECTRIFICATION. Rep. Michel stated that REA "needs a complete shakeup and overhauling" and <sup>that "it is time for Congress to</sup> recognize its responsibility to the Nation's taxpayers by asserting its control over the REA's activities through the appropriations process." p. 7691

Rep. Holifield stated that the Hanford power project is a success because it passed "the ultimate judgment on the financial feasibility of" the project through the sale of its bonds. pp. 7701-4

24. ADMINISTRATIVE LAW. Rep. Randall urged passage of H. R. 6160, to authorize lawyers to practice before Federal agencies without special admission to agency bars, as a means by which the legal problems of a client "with the various Federal agencies here in Washington can then be handled by his own local attorney. pp. 7684-5

25. FORESTRY; ROADS. Rep. Cleveland urged that "States having large areas of national forests should be granted the same benefits with respect to Federal-aid highway matching requirements as have been extended to those States with large areas of public domain and Indian lands." pp. 7690-1

26. WATER POLLUTION. Rep. McDowell agreed with the need of a bill similar to that introduced by Sen. Nelson setting standards for detergents. p. 7701

27. PERSONNEL. Received from Civil Service Commission a proposed bill "to improve the financing of the civil service retirement system"; to Post Office and Civil Service Committee. p. 7705

The Education and Labor Committee voted to report (but did not actually report) H. R. 6041, to include fringe benefits in computation of wages of contractors' employees. p. D310

28. LEGISLATIVE PROGRAM. Rep. Albert announced that on Wed. and the balance of the week H. R. 6009, to provide for temporary increases in the public debt ceiling to \$307 billion, will be considered under a closed rule. p. 7681

29. ADJOURNED until Mon., May 13. p. 7705.

#### ITEMS IN APPENDIX

30. CONSUMER SERVICES. Extension of remarks of Rep. Burkhalter inserting his statement on the consumer services of this Department and stating that "Too many people are not aware of the daily advantages afforded them by the work and efforts of members of the Department of Agriculture." pp. A2901-2







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued May 29, 1963  
For actions of May 28, 1963  
88th-1st; No. 79

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HIGHLIGHTS: Senate passed: Interior appropriation bill. Public debt increase bill. Sen. McGovern opposed Farm Bureau wheat-feed grains proposal. Sen. Fulbright stated global quotas not responsible for sugar price increases. House received conference report on Treasury-Post Office appropriation bill. House committee rereferred to subcommittee Tulalake wheat acreage allotments bill. House Rules Committee cleared Reorganization Act extension bill and several Representatives debated it. House committee voted to report bills for lease and transfer of tobacco acreage allotments. House committee delayed action on bill for Assistant Secretary of Agriculture.

## HOUSE

1. APPROPRIATIONS. Received the conference report on H. R. 5366, the Treasury, Post Office, and Executive Office appropriation bill for 1964 (H. Rept. 353). pp. 9065-6, 9110-1
2. POULTRY. Rep. Hagan (Ga.) stated that the newly created Poultry Subcommittee of the Agriculture Committee will hold hearings on the "loss of our poultry markets in the European Common Market." p. 9066
3. FARM LABOR. Rep. Rosenthal inserted letters opposing continuation of the Mexican farm labor program. pp. 9071-2



4. WHEAT. The Agriculture Committee rereferred to the Wheat Subcommittee S. 762 to increase durum wheat acreage allotments in the Tulalake area, Calif. p. D374  
Rep. Findley criticized the President and Secretary Freeman as having "sold themselves" a "yes" vote in the wheat referendum. p. 9082
5. LEGISLATIVE REORGANIZATION. The Rules Committee reported a resolution for consideration of H. R. 3496, to extend the Reorganization Act of 1949 until June 1, 1965, and several Representatives debated the bill. pp. 9098-9100, 9110.
6. SUGAR. Rep. Sullivan criticized the "great deal of advance buying of sugar by large users" as "causing excessive price rises." pp. 9101-4
7. WOOL IMPORTS. Rep. Cleveland inserted statistics showing the continued rise of wool imports. pp. 9106-9
8. TOBACCO. The Agriculture Committee voted to report (but did not actually report) H. R. 5930 (amended), to extend for 2 additional years the provisions permitting the lease and transfer of tobacco acreage allotments, and H. J. Res. 403, to extend time by which a lease transferring the allotment may be filed. p. D374
9. TRANSPORTATION. Rep. Pelly spoke in support of the Federal Maritime Commission's allowing the freight rate hike of the Alaska Steamship Co. p. 9104
10. ASSISTANT SECRETARY. The "Daily Digest" states that, in the Agriculture Committee, "Action was delayed, for further consideration, on H. R. 3850, to establish an additional office of Assistant Secretary of Agriculture." p. D374
11. LEGISLATIVE PROGRAM. The "Daily Digest" states that on "Wed., May 29...the House will consider H. R. 5497, continuation of Mexican farm labor program." p. D374

#### SENATE

12. INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1964. By a vote of 70 to 4, passed with amendments this bill, H. R. 5279 (pp. 9198-9206, 9209-18). By a vote of 22 to 56, rejected a motion by Sen. Dirksen (for himself and Sen. Williams, Del.) to recommit the bill to the Appropriations Committee with instructions to amend it so that the total amount appropriated would not exceed that appropriated for fiscal year 1963 (p. 9199). Conferees were appointed (p. 9218). See Digest 77 for items of interest to this Department.
13. PUBLIC DEBT. By a vote of 60 to 24, passed without amendment H. R. 6009, to provide for temporary increases in the public debt ceiling to \$307 billion from date of enactment of the bill until June 30, 1963, and to \$309 billion from July 1, 1963, to August 31, 1963 (pp. 9141, 9172-91, 9193-8). By a vote of 38 to 46, rejected a proposed committee amendment which would have provided for a temporary increase to \$309 billion from July 1, 1963, to June 30, 1964 (rather than from July 1, 1963, to August 31, 1963) (pp. 9172-91, 9193-4). This bill will now be sent to the President.
14. FARM PROGRAM. Sen. McGovern criticized the Farm Bureau for promising wheat farmers that if "the certificate plan were voted down the Congress would replace it with a new and better and more constructive program for 1964," and expressed his opposition to the Farm Bureau proposal for a wheat and feed grains program. pp. 9160-1







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued June 5, 1963  
For actions of June 4, 1963  
88th-1st; No. 83



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HIGHLIGHTS: House committee reported bills for lease and transfer of tobacco acreage allotments. House passed bill to extend Reorganization Act. Rep. Jensen urged enactment of new wheat-feed grains legislation. Rep. Bray urged increased quotas for domestic sugar producers. Both Houses agreed to conference report on Treasury-Post Office appropriation bill. House committee reported bill for registration of contractors of migratory workers. Rep. Cohelan favored termination of Mexican farm labor program. Sen. Carlson recommended voluntary wheat program. Sen. Miller expressed concern over diversion of bartered feed grains. Sen. Humphrey commended Youth Conservation Corps proposal.

## SENATE

1. WHEAT. Sen. Carlson recommended that a voluntary wheat program be enacted this year, that new markets and uses for wheat be sought, and that CCC stocks not be used to affect adversely the price of this year's wheat crop. pp. 9431-2
2. FEED GRAINS. Sen. Miller expressed concern that feed grains, bartered to Austria, are reported as having been diverted to other areas. pp. 9434-6

3. WHEAT; FEED GRAINS. Sens. Allott, Beall, Bennett, Dominick, Hruska, Jordan of Idaho, Lausche, Mechem, Miller, Morton, Scott, and Simpson were added as co-sponsors of S. 1617, to adjust wheat and feed grain production, to establish a cropland retirement program, etc. p. 9395
4. YOUTH CONSERVATION CORPS. Sen. Humphrey commended "growing support" for this proposed program. p. 9409
5. FOOD AND AGRICULTURE ORGANIZATION. Sen. McGovern commended FAO and inserted statements Director General Sen and Assistant Secretary of State Cleveland on its 20th anniversary. pp. 9444-9
6. LOANS. Received a Fla. Legislature resolution favoring USDA disaster loans to citrus growers. p. 9375
7. WATERSHEDS. Sen. Russell inserted Sen. Talmadge's speech, "The Growing Urgency for Watershed Understanding." pp. 9452-4
8. ELECTRIFICATION. Received from the Federal Power Commission a proposed bill to amend the Federal Power Act to prohibit abandonment of facilities and service without FPC consent; to Commerce Committee. p. 9374
9. COFFEE. Received from the State Department a proposed bill to carry out U. S. obligation under the International Coffee Agreement; to Finance Committee. p. 9374
10. PERSONNEL. Received from the State Department a proposed bill to authorize certain retired and other personnel of the U. S. Government to accept and wear decorations, presents, and other things tendered to them by certain foreign countries; to Foreign Relations Committee. p. 9374
11. FLOOD CONTROL. Received from the Calif. Legislature a resolution favoring legislation to authorize the Army Corps of Engineers to conduct research jointly with Calif. on the feasibility of vegetation on levees to meet the needs of both flood prevention and recreation. p. 9377
12. TRANSPORTATION. Sen. Carlson inserted a Kansas Motor Carriers Association statement defending the present legislation relating to transportation of bulk commodities and agricultural products. pp. 9377-8
13. WATER RIGHTS. Sen. Moss inserted the Supreme Court's opinion in the Arizona-California water rights case. pp. 9414-31
14. FOREIGN AID. Sen. McGovern stated that foreign aid benefits the American people. p. 9450
15. ADJOURNMENT; LEGISLATIVE PROGRAM. Adjourned until Thurs., June 6 (p. 9480). Sen. Humphrey said there will be speeches on consumer interests and problems that day, and that the calendar will be read June 10 (p. 9436).

HOUSE

16. TOBACCO. The Agriculture Committee reported with amendment H. R. 5930, to extend provisions permitting the lease and transfer of tobacco acreage allotments (H. Rept. 360), and H. J. Res. 403, ~~without amendment, to extend the~~ time by which the leases on transfers of tobacco allotments may be filed (H. Rept. 361). p. 9606



## LEASE OF TOBACCO ALLOTMENTS

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JUNE 4, 1963.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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MR. COOLEY, from the Committee on Agriculture, submitted the following

### R E P O R T

[To accompany H.R. 5930]

The Committee on Agriculture, to whom was referred the bill (H.R. 5930) to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease and transfer of tobacco acreage allotments, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

The title of the bill is amended to read:

A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease of tobacco acreage allotments.

#### PURPOSE

The purpose of this bill is to authorize, for 2 additional years, the transfer, by lease, of tobacco acreage allotments from one farm to another within the same county. The law does not apply to Burley tobacco nor to cigar filler and cigar binder, types 42, 43, 44, 53, 54, and 55.

#### NEED FOR THE LEGISLATION

In many areas, tobacco acreage allotments have become so small—thousands of them only a fractional part of an acre—that producers holding such small allotments frequently find that the planting of their allotment in any particular year is an uneconomic operation. This bill will authorize, for the 2 additional crop years 1964 and 1965 only, the holders of such small allotments to transfer their allotment to another tobacco producer in the same county, if they choose

to do so. Tobacco experts of the Department of Agriculture testified that the authorization granted for the lease of tobacco allotments for the crop year 1962 was about 2 percent of the total acreage allotted, and they predict that about the same percentage of the tobacco acreage will be transferred under the authorization in succeeding crop years.

#### COST

Other than some slight additional administrative work, there will be no additional cost to the Government as the result of this legislation.

#### COMMITTEE AMENDMENT

The committee amendment strikes out the words "and transfer" in the title of the bill. During hearings before the Tobacco Subcommittee of the House Committee on Agriculture it was determined that the words "and transfer" created an ambiguity, and were not necessary to the bill.

#### DEPARTMENTAL POSITION

As set out in the following report from the Department of Agriculture on H.R. 100, the Department took the position that it was not opposed to the proposed legislation, particularly if amended in accordance with the Department's recommendations in its report. H.R. 5930 was introduced to conform to the Department's recommendations. Following is the letter from the Department on H.R. 100:

APRIL 2, 1963.

HON. HAROLD D. COOLEY,  
*Chairman, Committee on Agriculture,*  
*House of Representatives,*  
*Washington, D.C.*

DEAR MR. COOLEY: This is in reply to your request of January 22, 1963, for a report on H. R. 100, a bill to amend the Agricultural Adjustment Act of 1938, as amended, to extend for 2 additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

This Department has no objection to the enactment of this bill if it is amended as hereinafter suggested.

Public Law 87-200 approved September 6, 1961, amended the Agricultural Adjustment Act of 1938, as amended, by adding a new section 316 which authorized, for the 1962 and 1963 crop years, the owner and operator of any farm for which a tobacco acreage allotment (other than a burley tobacco acreage allotment) is established to lease and transfer, on an annual basis, any part of such allotment to any other owner or operator of a farm in the same county for use in such county on a farm having a current tobacco allotment of the same kind. Public Law 87-824, approved October 15, 1962, amended Public Law 87-200 to remove the authority to lease and transfer cigar-filler and cigar-binder (types 42, 43, 44, 53, 54, and 55) tobacco allotments for the 1963 crop year.

During the 1962 crop year, tobacco acreage allotments were established for 572,462 farms, and the total acreage allotted was 1,235,510 acres. During that year, acreage allotments were leased from 20,347 farms to 17,148 farms. The total acreage leased in 1962 was 28,168

acres, which was reduced to 25,571 acres through adjustment of yields as provided in Public Law 87-200. Thus, the total acreage approved for transfer in 1962 was about 2 percent of the total acreage allotted.

H.R. 100, if enacted, would extend the existing legislation for the lease and transfer of tobacco acreage allotments (other than a Burley tobacco or a Cigar-filler and Cigar-binder (types 42, 43, 44, 53, 54, and 55) tobacco acreage allotments for 2 additional crop years, except that the limitation with respect to Maryland tobacco, section (a)(3), would be stricken.

Section (a)(3) of H.R. 100 amends subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, by striking the last sentence thereof. The eliminated sentence prohibits the lease of Maryland (type 32) tobacco allotments from farms on which less than 75 percent of the allotments was planted during the years 1960 and 1961. Historically, there has been considerable underplanting of Maryland tobacco allotments. The following table shows the acreage allotted and acreage harvested during the last 3 years:

Year	Acreage allotted	Acreage harvested
1962	49,746	41,500
1961	49,473	40,000
1960	48,696	37,500

During 1962, with the limitation in effect, only 24 leases and transfers for 65 acres were approved for Maryland tobacco. In view of the considerable underplanting of Maryland tobacco allotments, a significant increase in Maryland tobacco acreage, which could result in excessive supplies, would likely occur if the limitation were eliminated. Therefore, it is recommended that section (a)(3) of H.R. 100 be changed to read as follows:

“(3) by striking out the last sentence and inserting in lieu thereof the following: ‘In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 percentum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 percentum of the allotment for the farm was actually planted during each of the two immediately preceding years.’ ”

Section (b) of H.R. 100 amends subsection 316(b) of the act in a manner inconsistent with the revised wording suggested above, and should be stricken if the revised wording is adopted. Should the revised wording not be adopted, it is suggested, for clarity, that the proviso in subsection 316(b) of the act be retained.

It is not anticipated that the enactment of this proposed legislation would have any significant effect upon the expenditure of administrative funds or Commodity Credit Corporation capital funds.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

(S) ORVILLE L. FREEMAN,  
*Secretary.*



## CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

## AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

\*                      \*                      \*                      \*                      \*                      \*

SEC. 316. (a) Notwithstanding any other provision of this act for the crop years 1962 [and 1963], 1963, 1964, and 1965, the owner and operator of any farm for which a tobacco acreage allotment (other than a Burley tobacco acreage allotment [ , and for the 1963 crop year, other than] or a cigar-filler and cigar-binder (types 42, 43, 44, 53, 54, and 55) tobacco acreage allotment) is established may lease any part of such allotment to any other owner or operator of a farm in the same county for use in such county on a farm having a current tobacco allotment of the same kind. Such lease and transfer of allotment shall be recognized and considered valid by the county committee provided the conditions set forth in this section are met. [In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961.] *In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years.*

[(b) Any lease shall be made on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree. No lease shall be entered into for any period in excess of one crop year, but may be renewed for the 1963 crop year, if the parties so agree: Provided, That no such lease shall be renewed for 1963 for cigar-filler and cigar-binder (types 42, 43, 44, 53, 54, and 55) tobacco.]

*(b) Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree.*

○



88TH CONGRESS  
1ST SESSION

# H. R. 5930

[Report No. 360]

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1963

Mr. MATTHEWS introduced the following bill; which was referred to the Committee on Agriculture

JUNE 4, 1963

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Amend the title]

---

## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

- 1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*  
3      That (1) subsection (a) of section 316 of the Agricultural  
4      Adjustment Act of 1938, as amended, is further amended—  
5              (1) by striking out “and 1963” and inserting in  
6      lieu thereof “, 1963, 1964, and 1965”;  
7              (2) by striking out “, and for the 1963 crop year,  
8      other than” and inserting in lieu thereof “or”; and  
9              (3) by striking out the last sentence and inserting  
10      in lieu thereof the following: “In the case of Maryland

1 (type 32) tobacco, no farm shall be eligible for lease of  
2 1962 or 1963 allotment from the farm unless at least  
3 75 per centum of the allotment for the farm was actually  
4 planted during each of the years 1960 and 1961, nor  
5 shall a farm be eligible for lease of 1964 or 1965 Mary-  
6 land tobacco allotment from the farm unless at least 75  
7 per centum of the allotment for the farm was actually  
8 planted on such farm during each of the two imme-  
9 diately preceding years.”; and

10 (2) Subsection (b) of such section, as amended, is  
11 amended to read as follows: “(b) Any lease shall be made  
12 on an annual basis and on such terms and conditions, except  
13 as otherwise provided in this section, as the parties thereto  
14 agree.”

Amend the title so as to read: “A bill to amend the  
Agricultural Adjustment Act of 1938 to extend for two  
additional years the provisions permitting the lease of to-  
bacco acreage allotments.”

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86<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 5930**

[Report No. 360]

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# **A BILL**

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To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

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By **Mr. MATTHEWS**

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APRIL 29, 1963

Referred to the Committee on Agriculture

JUNE 4, 1963

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed





(House No. 200)

**A BILL**

For the purpose of providing for the establishment of a  
National Bureau of Investigation, and for other purposes.

IN SENATE,

January 10, 1900.

REPORT OF THE SELECT COMMITTEE ON THE BUREAU OF INVESTIGATION

IN SENATE,

January 10, 1900.

June 17, 1963

26. WATER RIGHTS. Extension of remarks of Sen. Bennett inserting an article giving an analysis of the "recent decision of the Supreme Court concerning the distribution of the waters of the Colorado River Basin." pp. A3841-2
27. FARM LABOR. Extension of remarks of Rep. Gathings inserting a Washington Post article urging extension of the Mexican farm labor program. p. A3842
28. AREA REDEVELOPMENT. Extension of remarks of Rep. Alger inserting remarks by him stating that "a major victory in the fight to slow down Federal spending was achieved by the House...with the defeat of President Kennedy's request... to continue the Area Redevelopment Act." pp. A3845-6

#### BILLS INTRODUCED

29. FOREIGN TRADE. H. R. 7064, by Rep. Baker, to amend the Antidumping Act, 1921; to Ways and Means Committee. Remarks of author, pp. 10303-4  
H. R. 7082, by Rep. Westland, to regulate agricultural and forestry imports; to Ways and Means Committee.
30. WILDLIFE. H. R. 7067, by Rep. Dingell, to amend the Fish and Wildlife Act of 1956 to permit civil actions for damages in the case of water pollution affecting fish and wildlife; to Merchant Marine and Fisheries Committee.
31. ELECTRIFICATION. H. R. 7069, by Rep. King, N.Y., relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to Agriculture Committee.
32. LOANS. H. R. 7003, by Rep. Poage, to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be insured under subtitle A of such act; to Agriculture Committee.
33. CONTRACTS. H. R. 7075, by Rep. Roosevelt, to amend the Davis-Bacon Act; to the Committee on Education and Labor Committee. Remarks of author, p. 10303
34. RECLAMATION. S. 1723, by Sen. Goldwater, to require contractors and subcontractors engaged in the construction of projects under the provisions of the Federal reclamation laws to conform to certain licensing laws of the State in which any such project is located; to Interior and Insular Affairs Committee. Remarks of author pp. 10313-4
35. MANPOWER. S. 1725, by Sen. Burdick, to amend the Manpower Development and Training Act of 1962; to Labor and Public Welfare Committee.
36. SURPLUS COMMODITIES. S. 1727, by Sen. Beall, to permit donation of surplus agricultural commodities to State and county penal and correctional institutions; to Agriculture and Forestry Committee.

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COMMITTEE HEARINGS: June 18: Coordination and control of use of pesticides, H. Merchant Marine and Fisheries (George Barnes to testify).

Cotton bill, H. Rules.

Tobacco pricing policy of USDA, H. Agriculture (USDA and outside witnesses).

Foreign aid authorization bill, S. Foreign Relations (Bell, AID, to testify).

National Service Corps, S. Labor (Farmers Union to testify), and H. Labor.

Water pollution control, H. Gov't Operations and S. Public Works.

JUNE 24: Water resources research centers at land-grant colleges, H. Interior (Byerly, CSESS, to testify).



June 17, 1963

Rep. Cannon inserted "a summary of the action in the appropriation bills and an approximation of the portions of the President's obligational authority budget yet to come before the House for consideration." pp. 10305-7

15. PERSONNEL RETIREMENT. Passed without amendment H. R. 3517, to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of the Act. pp. 10296-8
16. PUBLICATIONS. Rep. Alger stated that "Congress could bring about an immediate saving of more than \$1 million if we eliminated the distribution of so-called free literature such as Agricultural Yearbooks and Farmers Bulletins." p. 10292
17. TOBACCO. Passed over without prejudice H. R. 5930, to extend provisions permitting the lease and transfer of tobacco acreage allotments, and H. J. Res. 403, to extend the time by which the leases on transfers of tobacco allotments may be filed. p. 10294
18. ELECTRIFICATION. Passed over without prejudice H. R. 4062, to authorize Interior to market power generated at Amistad Dam on the Rio Grande. p. 10293
19. WATER RESOURCES. Both Houses received from Interior a proposed bill relating to projects for the conservation, development, and utilization of Alaska water resources; to Interior and Insular Affairs Committees
20. FOREIGN TRADE. The Ways and Means Committee reported with amendment H. R. 2827, to extend until 1966 the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory (H. Rept. 389). p. 10308
21. LANDS. The Public Lands Subcommittee of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 6218, to authorize additional extensions of time for final proof by certain entryment under the desert land laws. p. D441
22. PURCHASING. The Public Lands Subcommittee of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 6689, to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act. p. D441
23. WAYS AND MEANS COMMITTEE voted to report (but did not actually report) the following bills: H. R. 4174 (amended), regarding 1-year continuation of suspension of duty on metal scrap; S. 1359, to provide for an additional Assistant Secretary of the Treasury; H. R. 6011, to provide a 3-year suspension of duty on certain istle or tampico fiber; and H. R. 2675, regarding a 3-year continuation of suspension of duty on certain tanning extracts and extracts of hemlock or eucalyptus suitable for use for tanning. p. D441

#### ITEMS IN APPENDIX

24. LAND REFORM. Extension of remarks of Rep. Jensen inserting his message before the World Food Conference praising the peaceful means of land reform throughout the world. p. A3837
25. FARM POLICY. Extension of remarks of Sen. Pearson inserting an editorial by an agricultural economist offering "the opinion that this country has passed the high tide in Government intervention in the production and pricing of farm products." pp. A3839-40



The SPEAKER. Without objection the correction will be made.  
There was no objection.

#### SPECIAL ORDER REQUESTED

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that on tomorrow, June 18, after the completion of the legislative business and all other special orders previously entered, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. HAYS. Mr. Speaker, I object.

#### SALUTE TO BOY SCOUTS AND SCOUTMASTER W. W. COULSON OF WICHITA, KANS.

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SHRIVER. Mr. Speaker, local, State, and National authorities today are concerned about the problems of juvenile delinquency. There also is discussion of establishing new agencies, financed by the Federal Government, to create outlets of activity for young people in metropolitan areas.

I would like to take a moment, however, to pay tribute to just one of the youth organizations in the United States which has done a monumental job in the development of good citizens. I speak of the Boy Scouts of America.

It was my privilege this morning to host 30 Eagle Scouts, all members of Troop 410, Fairview Christian Church, of Wichita, Kans. They are in Washington for a 4-day educational and sight-seeing tour. They have worked hard for 2 years to earn this trip.

I also want to salute Mr. W. W. Coulson, the scoutmaster of this troop, who has provided inspirational guidance and leadership to Boy Scouts for 33 years in Wichita. He is dedicated to Scouting and to his boys. He possesses a commendable record in volunteer Scout work. Mr. Coulson, who will be 77 years old next month, has guided 175 boys to Scouting's highest rank of Eagle Scout. He has worked with them from the time they entered scouting as Tenderfoots until they attain the Eagle badge.

The city of Wichita, the State of Kansas, and these United States have benefited from the dedication and devotion of Mr. Coulson to his boys. He is representative of the thousands of men and women who volunteer their time toward building young men who are thoroughly prepared—educationally, morally, and spiritually—to assume the responsibilities of good citizenship.

#### REQUEST TO ADDRESS THE HOUSE

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. BROMWELL. Mr. Speaker, I object.

#### U.S. SHOULD CUT DIPLOMATIC TIES WITH HAITI

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, Haiti's anti-American President Francois Duvalier has demanded that the United States recall its Ambassador to Haiti, and has already recalled his own Ambassador to underscore his demands.

Coupled with Duvalier's recent harassment of U.S. citizens, this new turn in U.S. relations with Haiti points up one hard fact—that the United States should suspend its diplomatic ties with the Duvalier regime.

Furthermore, the American people have had the impression that U.S. aid to Haiti has been suspended. I am informed that this is not so. Under the U.S. food-for-peace program, Haiti last year received some \$1.3 million in U.S. surplus foodstuffs subsidized by the U.S. taxpayer. Haiti also received last year some \$1.3 million from the United States as part of a grant to finance a malaria control project.

And at present Haiti is free to market over 40,000 tons of sugar in the United States, and at the present prevailing price of sugar in New York last Friday, which was \$152 per ton, Haiti could expect an income of \$6,166,488 this year if its U.S. sales continued.

This aid should be cut as well. Positive actions, such as these, would do much to strengthen our position in the Caribbean and the rest of the hemisphere as well.

#### REQUEST TO ADDRESS THE HOUSE

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HAYS. Mr. Speaker, I object.

#### CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

#### ADDITIONAL PAY FOR DIRECTORS AND CHIEFS OF STAFF AT VA MEDICAL INSTALLATIONS

The Clerk called the bill (H.R. 228) to amend title 38, United States Code, with respect to the salary of directors and chiefs of staff of Veterans' Administration hospitals, domiciliaries, and centers.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### ADMINISTRATIVE EXPENSES OF RETIRED EMPLOYEES HEALTH BENEFITS

The Clerk called the bill (H.R. 3517) to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### BACK PAY ACT OF 1963

The Clerk called the bill (H.R. 4837) to provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, reserving the right to object, I would like to observe I intend to object to all of the procedures under unanimous consent as they come along. I have been denied the right to have a special order and I have been denied the right to place information in the RECORD which I believe is of importance. I think until such time as the watchdogs of the House agree to some type of ruling that the procedures of the House are going to have to be delayed.

Mr. Speaker, I object.

#### AUTHORIZING THE SECRETARY OF THE INTERIOR TO MARKET POWER GENERATED AT AMISTAD DAM ON THE RIO GRANDE

The Clerk called the bill (H.R. 4062) to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande.

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

#### INCREASING PER DIEM AND SUBSISTENCE, AND LIMIT MILEAGE ALLOWANCES OF GRAND AND PETIT JURORS

The Clerk called the bill (H.R. 5905) to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors.

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.



## LEASE OF TOBACCO ALLOTMENTS

The Clerk called the bill (H.R. 5930) to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## EXTENSION OF TIME TO FILE 1963 TOBACCO ALLOTMENT LEASES

The Clerk called the resolution (H.J. Res. 403) to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

Mr. UTT. Mr. Speaker, I ask unanimous consent that this resolution may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## EXPAND AUTHORITY OF THE CANAL ZONE GOVERNMENT

The Clerk called the bill (H.R. 3050) to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## AMENDING THE CANAL ZONE CODE

The Clerk called the bill (H.R. 3999) to amend section 66 of title 2 of the Canal Zone Code.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## NURSES AS STAFF OFFICERS IN U.S. MERCHANT MARINE

The Clerk called the bill (H.R. 5781) to amend the act of August 1, 1939, to provide that professional nurses shall be registered as staff officers in the U.S. merchant marine.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## REPEALING THE INLAND WATERWAYS CORPORATION ACT

The Clerk called the bill (H.R. 2876) to repeal the Inland Waterways Corporation Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. HARRIS. Mr. Speaker, reserving the right to object, I should like to inquire of the gentleman from California if the gentleman's unanimous-consent request is made on the basis of his announcement of a moment ago and not because he objects to some provision of the proposed bill?

Mr. UTT. Mr. Speaker, if the gentleman will yield, my sole purpose is directed to the fact that we have degenerated into a juvenile children's hour of denying the various Members to run their own household and place documents and other matters in the RECORD which they feel they should place in the RECORD, and to have special orders.

Mr. Speaker, I object to it on that ground only and not on the merits of the bill.

Mr. HARRIS. I thank the gentleman. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## REGULATIONS FOR PREVENTING COLLISIONS AT SEA

The Clerk called the bill (H.R. 6012) to authorize the President to proclaim regulations for preventing collisions at sea.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## MEDICAL CARE FOR COAST AND GEODETIC SURVEY

The Clerk called the bill (S. 969) to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crewmembers and their dependents, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. ASPINALL. Mr. Speaker, I object.

The SPEAKER. Is there objection to the further consideration of the bill?

Mr. UTT. Mr. Speaker, I object.

## AMEND INLAND AND WESTERN RIVER RULES

The Clerk called the bill (S. 1036) to amend the inland and western rivers

rules concerning anchor lights and for signals required in special anchorage areas, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. ASPINALL. Mr. Speaker, I object.

The SPEAKER. Objection is heard. Is there objection to the further consideration of the bill?

Mr. UTT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

## LIMIT PRIORITY OF TAXES IN BANKRUPTCY

The Clerk called the bill (H.R. 3438) to amend the Bankruptcy Act with respect to limiting the priority and non-dischargeability of taxes in bankruptcy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## RELATING TO DUTIES OF CENSUS ENUMERATORS

The Clerk called the bill (H.R. 4818) to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## MERGING OF CERTAIN COAST GUARD APPROPRIATIONS

The Clerk called the bill (H.R. 73) to provide for the merger of certain Coast Guard appropriations for operating expenses, Reserve training, and retired pay.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## EXCEPTIONS TO THE RULES OF NAVIGATION

The Clerk called the bill (H.R. 75) to provide for exceptions to the rules of navigation in certain cases.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of*







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued June 20, 1963  
For actions of June 19, 1963  
88th-1st; No. 92

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**HIGHLIGHTS:** Both Houses received President's civil rights message. Senate committee voted to report bills re experiment stations research facilities, agricultural land development Alaska, penalties on misuse of feed in disaster areas, transfer of tobacco allotments, and allotment exemption for green peanuts. Senate committee reported Packers and Stockyards bill re deductions for promotion and research activities. Sen. Williams (Del.) criticized Common Market import duties on poultry.

### SENATE

1. **CIVIL RIGHTS.** Both Houses received the President's message on civil rights (H. Doc. 124)(pp. 10533-9, 10552-7). The message includes proposals for additional funds to broaden the Manpower Development and Training Program, additional funds to finance the pending Youth Employment bill, expansion of the vocational education program, permanent extension of the Committee on Equal Employment Opportunity, and enactment of legislation to make it clear that the Federal Government is not required, under any statute, to furnish any kind of financial assistance, by way of grant, loan, contract, guaranty, insurance, or otherwise, to any program or activity in which racial discrimination occurs.

Several Senators debated the merits of the President's civil rights proposals. pp. 10473-4, 10475, 10476-8, 10485-6, 10511, 10513-4, 10539-49

2. AGRICULTURE AND FORESTRY COMMITTEE voted to report (but did not actually report) the following bills: ~~H. R. 40, to authorize additional funds for construction of research facilities at State agricultural experiment stations, S. 623, to provide for a program of agricultural land development in Alaska, S. 581, with amendment, to extend provisions of law for the lease and transfer of tobacco acreage allotments, S. 400, to provide uniform penalties for misuse of feed made available in disaster areas, S. 582, to continue the exemption of green peanuts from acreage allotments and quotas, S. 1388, to add certain lands to Cache National Forest, Utah, and S. 51, to authorize relinquishment to Wyo. of the jurisdiction over the Pole Mountain District of Medicine Bow National Forest. p. D452~~
3. WATERSHEDS. The Agriculture and Forestry Committee approved the following watershed projects: Buckhorn-Mesa, Ariz., Tupelo Bayou, Ark., Naaluhu, Hawaii, Bear-Pierce-Cedar, Nebr., Bellwood, Nebr., Caney Creek, Okla., and Thompson Creek, Tenn. (supplemental plan). p. D452
4. PACKERS AND STOCKYARDS. The Agriculture and Forestry Committee reported without amendment H. R. 5860, to amend the Packers and Stockyards Act so as to provide that the authority of the Secretary shall not apply to deductions from the sales proceeds for financing promotion or research activities relating to livestock, meats, and other products covered by the Act (S. Rept. 280). p. 10460
5. EXPORT-IMPORT BANK. The Banking and Currency Committee reported with amendment H. R. 3872, to increase the lending authority of the Export-Import Bank of Washington (S. Rept. 262). pp. 10459-60
6. LUMBER; TARIFF. The Commerce Committee reported without amendment S. 1032, to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act of 1916 (S. Rept. 261). p. 10460
7. LANDS. The Interior and Insular Affairs Committee reported without amendment S. 535, to extend the principles of equitable adjudication to sales of land under the Alaska Public Sale Act (S. Rept. 264). p. 10460  
The Interior and Insular Affairs Committee reported with amendment S. J. Res. 17, to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, and the recreation area contiguous to such lake in Wyo. and Utah, as "O'Mahoney Lake and Recreation Area" (S. Rept. 279). p. 10460
8. ELECTRIFICATION. Passed without amendment H. J. Res. 180, to authorize continued use of certain lands within the Sequoia National Park for a hydroelectric project. This measure will now be sent to the President. p. 10525
9. PROPERTY. Passed as reported S. 1326, to provide for the conveyance by the Department of the Interior of certain mineral interests of the U. S. in property in S. C. to the record owners of the surface of the property (relates to mineral interests transferred from the Farmers Home Administration to the Department of the Interior). pp. 10529-31
10. WATER RESOURCES. Passed as reported S. 614, to authorize the Secretary of the Interior to make water available for a permanent pool for recreation purposes at Cochita Reservoir from the San Juan-Chama unit of the Colorado River storage project. pp. 10523-4









# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued June 21, 1963  
For actions of June 20, 1963  
88th-1st, No. 93

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		Wheat.....26

HIGHLIGHTS: Senate committee reported bills re experiment stations research facilities, agricultural land development in Alaska, penalties on misuse of feed in disaster areas, transfer of tobacco allotments, and exemption of green peanuts from allotments. Sen. Humphrey commended passage of migratory farm labor bills. Sen. Long (Mo.) urged expanded food for peace program. Reps. Fountain and Dwyer introduced and discussed bills to provide review of Federal grants-in-aid.

### SENATE

1. AGRICULTURE AND FORESTRY COMMITTEE reported the following bills: p. 10623

H. R. 40, without amendment, to authorize the appropriation of Federal funds, on a matching basis, specifically for the purpose of assisting in the construction, acquisition, and remodeling of buildings, laboratories, and other physical facilities for agricultural research in State agricultural experiment stations (S. Rept. 288).

S. 623, without amendment, to authorize this Department to institute a program of agricultural land development in Alaska (S. Rept. 287).

S. 400, without amendment, to establish penalties for misuse of feed made available by this Department for relieving distress or preservation and maintenance of foundation herds (S. Rept. 284).

S. 581, with amendments, to extend present provisions of law permitting the lease and transfer of tobacco acreage allotments (S. Rept. 286).

S. 582, without amendment, to extend for two years the present exemption of green peanuts from allotments and quotas (S. Rept. 285).

S. 1388, without amendment, to provide for the addition of lands to the Cache National Forest, Utah (S. Rept. 283).

S. 51, without amendment, to authorize this Department to relinquish to Wyo. jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District (S. Rept. 282).

2. TAXATION. The Finance Committee reported without amendment H. R. 6755, to continue for one year (until July 1, 1964) the present combined 52 percent corporate income tax rate and the present rates of excise tax on distilled spirits, beer, wine, cigarettes, passenger cars, automobile parts and accessories, general telephone service, and transportation of persons by air (S. Rept. 281). p. 10623
3. LANDS. Passed as reported S. J. Res. 17, to designate the lake to be formed by waters impounded by the Flaming Gorge Dam, Utah, as "Lake O'Mahoney." p. 10670
4. TRANSPORTATION. Began debate on S. 684, to provide that the Interstate Commerce Commission may approve the application of a freight forwarder if the Commission finds that the transaction proposed will enable the applicant to use the service of the motor carrier or freight forwarder to public advantage in its operations, will be consistent with the public interest, and will not unduly restrain competition. pp. 10653-62  
Sen. Miller submitted amendments intended to be proposed to this bill, S. 684. p. 10633
5. FOOD FOR PEACE. Sen. Long (Mo.) commended and urged expansion of the food for peace program, stated that the present program "only scratches the surface of the problem," and inserted an editorial in support of his views. p. 10652
6. FARM LABOR. Sen. Humphrey commended recent Senate passage of several bills to provide aid to migratory farm workers and inserted two items commending Sen. Williams (N.J.) for his efforts in the passage of this legislation. pp. 10634-5
7. INFORMATION. Sen. Humphrey commended the establishment of an Advisory Council on the Arts by the President as "a historic step forward in building a more productive and enlightened relationship between the Federal Government and the artistic and cultural life of this country." pp. 10643-6
8. TOBACCO. Sen. Neuberger expressed concern over the possible harmful effects of cigarette smoking and stated that she intended to introduce legislation soon to ban distribution of free cigarette samples to minors, restrict the permissible tar and nicotine yields from cigarettes, and provide for a moderate increase in cigarette taxes. pp. 10637-9
9. DOMESTIC PEACE CORPS. Sen. Kennedy inserted an editorial supporting enactment of legislation to provide for the establishment of a Domestic Peace Corps. pp. 10646-7
10. NOMINATIONS. The Jt. Committee on Atomic Energy reported the nominations of Glenn T. Seaborg and Gerald F. Tape to be members of the Atomic Energy Commission. p. 10643
11. FOREIGN AID. Sen. Keating submitted amendments intended to be proposed to the foreign aid authorization bill "to insure that U. S. funds are not used to subsidize aggressive military ventures and purchases of Soviet military equipment on the part of aid recipients." pp. 10633-4



## EXTENSION OF TOBACCO ALLOTMENT LEASING AUTHORITY

JUNE 20, 1963.—Ordered to be printed

Mr. HOLLAND, from the Committee on Agriculture and Forestry,  
submitted the following

### REPORT

[To accompany S. 581]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 581), to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the present provisions permitting the lease and transfer of tobacco acreage allotments, having considered the same, report thereon with a recommendation that it do pass with amendments.

#### PURPOSE

The purpose of this bill is to authorize, for 2 additional years, the transfer, by lease, of tobacco acreage allotments from one farm to another within the same county. The law does not apply to burley tobacco or cigar filler and cigar binder, types 42, 43, 44, 53, 54, and 55. Under the existing law, an allotment for Maryland (type 32) tobacco could be leased only if at least 75 percent of the allotment for the farm was planted in 1960 and 1961. As introduced, the bill would have permitted leasing of any Maryland tobacco allotment, but on the recommendation of the Department of Agriculture the committee amendment would preclude the leasing of any Maryland tobacco allotment unless at least 75 percent of the allotment for each of the 2 preceding years was planted on the farm.

#### NEED FOR LEGISLATION

In many areas, tobacco acreage allotments have become so small that producers holding such allotments frequently, in any particular year, neglect to plant their allotment because it is an uneconomic operation, or for other reasons.

For the crop years 1964 and 1965 only, this bill would authorize the holders of such small allotments to transfer their allotment to another tobacco producer in the same county if they choose to do so.

## 2 EXTENSION OF TOBACCO ALLOTMENT LEASING AUTHORITY

### COMMITTEE AMENDMENT

The committee amendment to the text of the bill would prohibit the leasing of Maryland tobacco allotments unless at least 75 percent of the allotment was planted on the farm during each of the 2 preceding years. This amendment was developed in order to carry out the recommendations of the Department of Agriculture as outlined in their report which follows.

### DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., April 2, 1963.

HON. ALLEN J. ELLENDER,  
*Chairman, Committee on Agriculture and Forestry,*  
*U.S. Senate, Washington, D.C.*

DEAR SENATOR ELLENDER: This is in reply to your request of January 31, 1963, for a report on S. 581, a bill to amend the Agricultural Adjustment Act of 1938, as amended, to extend for 2 additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

This Department has no objection to the enactment of this bill if it is amended as hereinafter suggested.

Public Law 87-200 approved September 6, 1961, amended the Agricultural Adjustment Act of 1938, as amended, by adding a new section 316 which authorized, for the 1962 and 1963 crop years, the owner and operator of any farm for which a tobacco acreage allotment (other than a burley tobacco acreage allotment) is established to lease and transfer, on an annual basis, any part of such allotment to any other owner or operator of a farm in the same county for use in such county on a farm having a current tobacco allotment of the same kind. Public Law 87-824, approved October 15, 1962, amended Public Law 87-200 to remove the authority to lease and transfer cigar filler and cigar binder (types 42, 43, 44, 53, 54, and 55) tobacco allotments for the 1963 crop year:

During the 1962 crop year, tobacco acreage allotments were established for 572,462 farms, and the total acreage allotted was 1,235,510 acres. During that year, acreage allotments were leased from 20,347 farms to 17,148 farms. The total acreage leased in 1962 was 28,168 acres which was reduced to 25,571 acres through adjustment of yields as provided in Public Law 87-200. Thus, the total acreage approved for transfer in 1962 was about 2 percent of the total acreage allotted.

S. 581, if enacted, would extend the existing legislation for the lease and transfer of tobacco acreage allotments (other than a burley tobacco or a cigar filler and cigar binder (types 42, 43, 44, 53, 54, and 55) tobacco acreage allotments) for 2 additional crop years, except that the limitation with respect to Maryland tobacco, section (a)(3), would be stricken.

Section (a)(3) of S. 581 amends subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, by striking the last sentence thereof. The eliminated sentence prohibits the lease of Maryland (type 32) tobacco allotments from farms on which less than 75 percent of the allotment was planted during the years 1930 and 1931. Historically, there has been considerable underplanting of Maryland



tobacco allotments. The following table shows the acreage allotted and acreage harvested during the last 3 years:

Year	Acreage allotted	Acreage harvested
1962	49,746	41,500
1961	49,473	40,000
1960	48,696	37,500

During 1962, with the limitation in effect, only 24 leases and transfers for 65 acres were approved for Maryland tobacco. In view of the considerable underplanting of Maryland tobacco allotments, a significant increase in Maryland tobacco acreage, which could result in excessive supplies, would likely occur if the limitation were eliminated. Therefore, it is recommended that section (a)(3) of S. 581 be changed to read as follows:

“(3) by striking out the last sentence and inserting in lieu thereof the following: ‘In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 percentum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 percentum of the allotment for the farm was actually planted during each of the two immediately preceding years.’”

Section (b) of S. 581 amends subsection 316(b) of the act in a manner inconsistent with the revised wording suggested above, and should be stricken if the revised wording is adopted. Should the revised wording not be adopted, it is suggested, for clarity, that the proviso in subsection 316(b) of the act be retained.

It is not anticipated that the enactment of this proposed legislation would have any significant effect upon the expenditure of administrative funds or Commodity Credit Corporation capital funds.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

ORVILLE L. FREEMAN, *Secretary*.

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

#### AGRICULTURAL ADJUSTMENT ACT OF 1938

\* \* \* \* \*

SEC. 316. (a) Notwithstanding any other provision of this act for the crop years 1962 [and 1963], 1963, 1964, and 1965, the owner and operator of any farm for which a tobacco acreage allotment (other than a Burley tobacco acreage allotment [ , and for the 1963 crop year,

other than] or a cigar-filler and cigar-binder (types 42, 43, 44, 53, 54, and 55) tobacco acreage allotment) is established may lease any part of such allotment to any other owner or operator of a farm in the same county for use in such county on a farm having a current tobacco allotment of the same kind. Such lease and transfer of allotment shall be recognized and considered valid by the county committee provided the conditions set forth in this section are met. [In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961.] *In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years.*

[(b) Any lease shall be made on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree. No lease shall be entered into for any period in excess of one crop year, but may be renewed for the 1963 crop year, if the parties so agree: Provided, That no such lease shall be renewed for 1963 for cigar-filler and cigar-binder (types 42, 43, 44, 53, 54, and 55) tobacco.]

*(b) Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree.*

*(c) The lease and transfer of any allotment shall not be effective until a copy of such lease is filed with and determined by the county committee of the county in which the farms involved are located to be in compliance with the provisions of this section. Such lease and transfer shall not be effective unless a copy of the lease is filed with the county committee prior to a closing date established by the Secretary, which date shall be no later than the normal planting time in the county. If the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease and transfer shall be approved acre for acre. If the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established by the farm to which the allotment is transferred.*

*(d) The lease and transfer of any part of a tobacco acreage allotment determined for a farm shall not affect the allotment for the farm from which such acreage allotment is transferred or the farm to which it is transferred, except with respect to the crop year specified in the lease. The amount of acreage allotment which is leased from a farm shall be considered for purpose of determining future allotments to have been planted to tobacco on the farm from which such allotment is transferred and the production pursuant to the lease and transfer*

shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is transferred. The lessor shall be considered to have been engaged in the production of tobacco for the purpose of eligibility to vote in the referendum.

(e) Under the provisions of this section not more than five acres of allotment may be leased and transferred to any farm: Provided, That the total acreage allotted to any farm after such transfer shall not exceed 50 percentum of the acreage of cropland in the farm.

(f) The Secretary shall prescribe such regulations as he considers necessary for carrying out the provisions of this section.

(g) Notwithstanding the provisions of subsection (c) relating to the filing of a lease with the county committee, the lease and transfer of an allotment for the 1962 crop year shall be effective if, (1) the Secretary finds that a lease in compliance with the provisions of this section was agreed upon prior to the normal planting time in the county, as determined by the Secretary, or June 15, 1962, whichever is earlier, and (2) the terms of the lease are reduced to writing and filed in the county office in which the farms involved are located within twenty days of the date this subsection becomes law.













88TH CONGRESS  
1ST SESSION

# S. 581

[Report No. 286]

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## IN THE SENATE OF THE UNITED STATES

JANUARY 29 (legislative day, JANUARY 15), 1963

Mr. HOLLAND introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JUNE 20, 1963

Reported by Mr. HOLLAND, with amendments

[Strike out all after the enacting clause and insert the part printed in italic]

---

## A BILL

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That ~~(a) subsection (a) of section 316 of the Agricultural~~  
4       ~~Adjustment Act of 1938, as amended (7 U.S.C. 1281(a)),~~  
5       is amended—

6               ~~(1) by striking out “and 1963” and inserting in~~  
7       lieu thereof “, 1963, 1964, and 1965”;

8               ~~(2) by striking out “, and for the 1963 crop year,~~  
9       other than” and inserting in lieu thereof “or”; and

10              ~~(3) by striking out the last sentence thereof.~~

1     ~~(b)~~ The second sentence of subsection ~~(b)~~ of such  
 2     section is amended to read as follows: "No lease shall be  
 3     entered into for any period in excess of one crop year, but  
 4     may be renewed from year to year if the parties so agree,  
 5     except that no such renewal may be in effect for the 1966  
 6     and succeeding crop years.

7     That (1) subsection (a) of section 316 of the Agricultural  
 8     Adjustment Act of 1938, as amended, is further amended—

9             (1) by striking out "and 1963" and inserting in  
 10            lieu thereof ", 1963, 1964, and 1965";

11           (2) by striking out ", and for the 1963 crop year,  
 12           other than" and inserting in lieu thereof "or"; and

13           (3) by striking out the last sentence and inserting  
 14           in lieu thereof the following: "In the case of Maryland  
 15           (type 32) tobacco, no farm shall be eligible for lease of  
 16           1962 or 1963 allotment from the farm unless at least  
 17           75 per centum of the allotment for the farm was actually  
 18           planted during each of the years 1960 and 1961, nor  
 19           shall a farm be eligible for lease of 1964 or 1965 Mary-  
 20           land tobacco allotment from the farm unless at least 75  
 21           per centum of the allotment for the farm was actually  
 22           planted on such farm during each of the two imme-  
 23           diately preceding years."; and

24           (2) Subsection ~~(b)~~ of such section, as amended, is  
 25     amended to read as follows: "(b) Any lease shall be made



1 *on an annual basis and on such terms and conditions, except*  
2 *as otherwise provided in this section, as the parties thereto*  
3 *agree."*

Amend the title so as to read: "A bill to amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease of tobacco acreage allotments."

88<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 581**

[Report No. 286]

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# **A BILL**

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To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the present provisions permitting the lease and transfer of tobacco acreage allotments.

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By Mr. HOLLAND

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JANUARY 29 (legislative day, JANUARY 15), 1963

Read twice and referred to the Committee on  
Agriculture and Forestry

JUNE 20, 1963

Reported with amendments



Yc<sup>4</sup>.



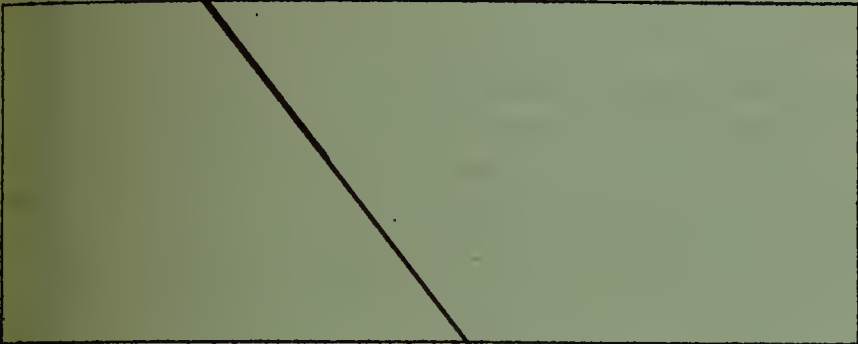
# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued June 26, 1963  
F & actions of June 25, 1963  
88th-1st; No. 95



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HIGHLIGHTS: Senate debated area redevelopment bill. Both Houses passed measure to continue appropriations to Aug. 31. Senate passed bills to add lands to Cache National Forest, amend penalty law on disaster feed relief, extend law on lease and transfer of tobacco allotments, and authorize Alaska land development. Sen. Burdick commended 50th year of marketing services. Sen. Humphrey urged strong negotiations with Common Market regarding agricultural exports. Sen. Morse commended new USDA national forest access regulations. Rep. Nelsen introduced and discussed bill on animal-drug regulation. Rep. Findley charged pressure on radio and TV stations in wheat referendum. Rep. Hemphill urged changes in two-price cotton system. Rep. Hoeven urged non-payment of lobbying fee under Sugar Act.

## SENATE

1. APPROPRIATIONS. Both Houses passed without amendment H. J. Res. 508, to continue until passage of the 1964 appropriations or August 31, 1963, whichever occurs first, appropriations for Government agencies (H. Rept. 448, S. Rept. 306). This measure will now be sent to the President. Sen. Hayden explained the coverage of the measure as follows:

"In those instances when bills have passed both bodies and the amounts or authority therein differ, the pertinent project or activity shall be continued under the lesser of the two amounts approved or under the more restrictive authority.

"When a bill has passed only one House, or when an item is included in only one version of the bill as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate of operations not exceeding the fiscal

1963 rate or the rate permitted by the one House, whichever is lower.

"In instances when neither House has passed appropriation bills for fiscal 1964, amounts are approved for continuing projects or activities conducted in fiscal 1963 not in excess of the current year's rate or at the rate provided for in the budget estimate, whichever is lower."

2. AREA REDEVELOPMENT. Began debate on S. 1163, to increase the authorizations under the Area Redevelopment Act. pp. 10932-4, 10947-85
3. FORESTRY. Passed without amendment S. 1388, to add lands to the Cache National Forest, Utah. pp. 10910-12  
Sen. Morse reviewed and commended the development and provisions of the new USDA regulations on access to national forest lands. pp. 10995-7  
Passed without amendment S. 51, to authorize the Secretary of Agriculture to relinquish to Wyo. jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District. p. 10910  
Sen. Neuberger inserted an article, "The Oregon Dunes: The Sands That Time Will Not Save." p. 10919
4. DISASTER RELIEF. Passed without amendment S. 400, to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds. p. 10912
5. PEANUTS. Passed without amendment S. 582, to continue for two additional years the exemption of boiled peanuts from allotments and quotas. pp. 10912, 10915
6. TOBACCO. Passed as reported S. 581, to extend for two additional years the provisions permitting lease of tobacco acreage allotments. pp. 10912-3
7. ALASKA LAND DEVELOPMENT. Passed without amendment S. 623, to provide for a land development program in Alaska. pp. 10913-4
8. RESEARCH. At the request of Sen. Mansfield, passed over H. R. 40, to assist the States to provide additional research facilities at the State agricultural experiment stations. p. 10914
9. MARKETING. Sen. Burdick reviewed and commended the USDA marketing services work on its 50th anniversary. pp. 10919-21
10. FOREIGN TRADE. The Finance Committee reported without amendment H. R. 2827, to extend until June 30, 1966, the suspension of duty on imports of crude chicory and reduction in duty on ground chicory (S. Rept. 308), and H. R. 4174, to continue through June 30, 1964, the suspension of duties on metal scrap (S. Rept. 309). p. 10891  
Sen. Javits inserted letters commenting on his recent speech recommending a reappraisal of the Trade Expansion Act, etc. pp. 10904-7  
Sen. Morse inserted correspondence with Christian Herter on possible control of lumber imports. pp. 10997-8
11. TIME STANDARDS. The Commerce Committee reported with amendments S. 1033, "to establish a uniform system of time standards and measurement for the United States and to require the observance of such time standards for all purposes" (S. Rept. 312), and several Senators were added as cosponsors. p. 10892
12. TRANSPORTATION. Passed as reported S. 530, to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year. pp. 10909-10



lowing the east line of said section 24 522.4 feet; thence north 65 degrees 16 minutes west 250.3 feet; thence along a regular curve to the left with a radius of 3,743.2 feet, for an arc distance of 1,606.0 feet; thence north 0 degrees 08 minutes east 78.9 feet to the north line of said section 24; thence south 89 degrees 52 minutes east along the section line 1,783.4 feet to the point of beginning, containing 10.2 acres.

A tract of land in sections 18 and 19, township 6 north, range 2 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said section 18 and running thence north 0 degrees 21 minutes east along the west line of said section 18, 3,960.0 feet; thence north 88 degrees 39 minutes east 150.0 feet; thence south 1 degree 22 minutes east 318.2 feet; thence north 88 degrees 38 minutes east 15.0 feet; thence south 1 degree 00 minutes east 137.0 feet; thence east 280.0 feet; thence south 159.0 feet;

thence north 88 degrees 49 minutes east 406.0 feet; thence south 51 degrees 20 minutes east 96.1 feet; thence south 71 degrees 13 minutes east 158.4 feet; thence south 54 degrees 15 minutes east 162.6 feet; thence south 25.0 feet; thence south 41 degrees 53 minutes east 233.7 feet; thence south 57 degrees 04 minutes east 408.1 feet;

thence north 88 degrees 39 minutes east 120.0 feet; thence south 1 degree 21 minutes east 64.0 feet; thence south 67 degrees 27 minutes east 144.4 feet; thence north 1 degree 21 minutes west 59.1 feet; thence north 89 degrees 14 minutes east 58.7 feet; thence south 3 degrees 43 minutes east 228.1 feet;

thence east 55.5 feet; thence south 18 degrees 28 minutes east 139.2 feet; thence south 27 degrees 28 minutes east 332.6 feet; thence south 89 degrees 11 minutes east 131.3 feet; thence south 4 degrees 30 minutes east 494.1 feet; thence south 43 degrees 29 minutes east 307.2 feet; thence south 85 degrees 12 minutes east 145.9 feet;

thence south 4 degrees 45 minutes east 769.2 feet; thence south 3 degrees 48 minutes west 300.0 feet; thence westerly 70.0 feet, more or less; thence south 6 degrees 15 minutes east 235.0 feet; thence south 42 degrees 00 minutes east 115.2 feet; thence east 164.5 feet; thence south 9 degrees 00 minutes east 1,025.2 feet; thence south 54 degrees 00 minutes east 365.7 feet;

thence along a regular curve to the right with a radius of 1,850.08 feet for an arc distance of 1,126.0 feet, the tangent at the beginning of the curve bears south 64 degrees 09 minutes west; thence north 5 degrees 00 minutes east 61.8 feet; thence north 9 degrees 15 minutes east 400.0 feet; thence north 85 degrees 14 minutes west 1,191.0 feet; thence north 40.1 feet; thence south 82 degrees 20 minutes west 256.0 feet; thence south 31 degrees 38 minutes west 231.8 feet.

thence west 120.0 feet; thence south 1 degree 30 minutes west 204.6 feet; thence north 65 degrees 16 minutes west 766.7 feet to the west line of said section 19; thence north 522.4 feet to the point of beginning containing 246.0 acres.

A tract of land in the northwest quarter of the northeast quarter of section 13, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said northwest quarter northeast quarter, from which point the north quarter corner of said section 13 bears north 0 degrees 57 minutes east 1,320.0 feet, and running thence north 0 degrees 57 minutes east along the west line of said northwest quarter northeast quarter 195.0 feet; thence north 65 degrees 04 minutes east 361.3 feet;

thence south 51 degrees 18 minutes east 284.6 feet; thence east 322.0 feet; thence south 170.0 feet, more or less, to the south line of said northwest quarter northeast

quarter; thence north 89 degrees 57 minutes west 875.0 feet, more or less, to the point of beginning, containing 4.4 acres.

A tract of land in the southeast quarter of the southeast quarter of section 12 and the northeast quarter of the northeast quarter of section 13, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northeast corner of said section 13 and running thence south along the east line of said section 13 576.0 feet to a point on the north line of First Street of the Huntsville townsite; thence south 88 degrees 39 minutes west 473.3 feet; thence north 0 degrees 07 minutes east 75.0 feet;

thence north 61 degrees 26 minutes west 496.4 feet; thence north 4 degrees 53 minutes west 284.7 feet to a point on the south line of section 12; thence continuing north 4 degrees 53 minutes west 349.3 feet; thence north 9 degrees 37 minutes east 196.5 feet;

thence east 40.0 feet; thence north 2 degrees 47 minutes east 120.0 feet, more or less, to the north line of the south half southeast quarter southeast quarter of section 12; thence east along said line, 900.0 feet, more or less, to the east line of said section 12, thence south 0 degrees 21 minutes west 660.0 feet to the point of beginning, containing 24.9 acres.

A tract of land in the southwest quarter of the southwest quarter of section 6 and in the west half of section 7 and in the north half of the northwest quarter of section 18, township 6 north, range 2 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said section 7 and running thence north 0 degrees 21 minutes east along the section line 5,280.0 feet to the southwest corner of said section 6; thence continuing north along the section line 1,320.0 feet, thence east 1,320.0 feet; thence south 1,320.0 feet to the north line of said section 7;

thence south 3,960.0 feet; thence north 88 degrees 43 minutes east 500.0 feet; thence south 3 degrees 00 minutes east 1,232.0 feet; thence south 71 degrees 24 minutes west 301.3 feet to the north line of said section 7; thence south 24 degrees 44 minutes west 310.2 feet; thence south 130.5 feet; thence south 88 degrees 39 minutes west 335.25 feet;

thence north 130.5 feet; thence south 88 degrees 08 minutes west 121.5 feet; thence north 76.0 feet; thence south 88 degrees 27 minutes west 414.9 feet; thence south 6 degrees 45 minutes east 192.0 feet; thence west 100.0 feet; thence south 34 degrees 02 minutes west 220.0 feet; thence south 88 degrees 39 minutes west 419.1 feet to west line of said section 18; thence north 576.0 feet to the point of beginning, containing 230 acres, more or less.

A tract of land in sections 1, 2, 3 and 12, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northwest corner of said section 2 and running thence east along the section line 5,280.0 feet to the northwest corner of said section 1; thence east along the section line 5,280.0 feet to the northeast corner of said section 1; thence south along the section line 5,280.0 feet to the northeast corner of said section 12; thence south along the section line 1,320.0 feet;

thence west 1,320.0 feet; thence north 1,320.0 feet to a point on the south line of said section 1; thence west along the section line 1,320.0 feet; thence north 3,960.0 feet; thence west 2,640.0 feet to a point on the east line of said section 2; thence south along the section line 2,640.0 feet; thence west 1,320.0 feet; thence south 1,320.0 feet to a point on the south line of said section 2;

thence west along the section line 1,320.0 feet; thence north 3,960.0 feet; thence west 2,640.0 feet to the east line of said section 3;

thence west 3,960.0 feet; thence north 1,320.0 feet to the north line of said section 3; thence east along the section line 3,960.0 feet to the point of beginning, containing 820.0 acres.

A tract of land in the south half of the south half of section 36, township 7 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southeast corner of said section 36 and running thence north along the west line of said section 36 1,320.0 feet; thence east 3,300.0 feet; thence south 1,320.0 feet to the south line of said section 36; thence west along said south line 3,300.0 feet to the point of beginning, containing 100 acres.

A tract of land in the south half of section 34, township 7 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southeast corner of said section 34 and running thence north along the east line of said section 34 1,980.0 feet; thence west 3,960.0 feet; thence south 1,980.0 feet to the south line of said section 34; thence east along said south line 3,960.0 feet to the point of beginning, containing 180 acres.

SEC. 2. All lands of the United States within such extended boundaries together with all federally owned lands within the former forest boundary which are included within the enlarged Pineview Reservoir site in sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, and 24 township 6 north range 1 east sections 6, 7, 18, and 19, township 6 north, range 2 east, and sections 34 and 36, township 7 north, range 1 east, Salt Lake basin and meridian, and including any lands within such boundaries hereafter acquired by the United States in connection with the Weber Basin project, shall hereafter be national forest lands subject to the laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended: *Provided*, That none of these lands shall be sold, exchanged, or otherwise be disposed of by the Secretary of Agriculture without the approval of the Secretary of the Interior and any revenue from disposal so authorized shall be credited pursuant to reclamation law.

SEC. 3. (a) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Weber Basin and Ogden River reclamation projects, and shall include particularly as a minimum area needed for such project, all the normal water surface area of the Pineview Reservoir and an adjacent border strip extending out from such water surface area a minimum horizontal distance of 100 feet around said reservoir, and in addition all the reclamation acquired land in section 16, township 6 north, range 1 east.

(b) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (a) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 283), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:



This bill would extend the boundaries of the Cache National Forest to include lands in and near the Pineview Reservoir site, Weber Basin project, and provide for the administration of such lands as described in the attached letter of the Secretary of Agriculture requesting this legislation. The bill does not increase Federal ownership, but provides for better management of the lands which have been or will be acquired in connection with the reclamation project.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., April 16, 1963.

Hon. LYNDON B. JOHNSON,  
President of the Senate.

DEAR MR. PRESIDENT: Transmitted herewith, for consideration of the Congress, is a draft bill, to add certain lands to the Cache National Forest, Utah.

This Department recommends enactment of the draft bill.

The draft bill would: (1) extend the exterior boundaries of the Cache National Forest in Utah to include about 1,700 additional acres in and near the Pineview Reservoir site, Weber Basin project; (2) give national forest status to lands within this extension now owned (about 750 acres) or later acquired by the United States in connection with the Weber Basin project, with the proviso that none of such lands would be sold, exchanged, or otherwise disposed of by the Secretary of Agriculture without the approval of the Secretary of the Interior and any revenue from disposal so authorized would be credited pursuant to reclamation law; (3) direct the Secretary of Agriculture to make available to the Department of the Interior such lands as many be needed for the Weber Basin and Ogden River projects; and (4) authorize the Secretaries of the two Departments to enter into agreements with respect to the administration of, and accounting for and use of revenues from lands made available to the Department of the Interior.

The Pineview Reservoir is created by a dam in the Ogden River in sec. 16, T. 6 N., R. 1 E. in Utah. The area immediately surrounding the original reservoir has been within the Cache National Forest for more than 20 years. Recently the storage capacity of the reservoir has been increased and additional lands have been acquired by the Bureau of Reclamation.

The addition of these lands to the Cache National Forest would facilitate their management. They are very similar to and offer the same uses and resources as do the adjacent lands now being administered by the Forest Service. Recreation development programs, wildlife habitat management, and fire control all can be more simply and economically administered by a single agency. National forest personnel are located in the immediate area and can do this effectively. It would put under the jurisdiction of one agency the Federal lands which are similar in character and serve common purposes and which require similar management. Giving national forest status to the lands which have been acquired by the Bureau of Reclamation in connection with the expansion of the storage capacity of the reservoir would permit uniform development and protection of the recreation and other resources of the area and would facilitate effective and economical administration of these lands under the principles of multiple use and sustained yield as directed in the act of June 12, 1960. At the same time the needs for reclamation purposes would be fully met.

The bill would not increase Federal ownership. By extension of the Cache National Forest boundaries the bill would give national forest status to lands which have been acquired or will hereafter be acquired in connection with the reclamation project.

A similar letter is being sent to the Speaker of the House.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

ORVILLE C. FREEMAN,  
Secretary.

#### PENALTIES FOR MISUSE OF FEED MADE AVAILABLE FOR RELIEVING DISTRESS OR PRESERVATION AND MAINTENANCE OF FOUNDATION HERDS

The bill (S. 400) to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 407 of the Agricultural Act of 1949, as amended, is hereby amended by adding after the sixth sentence the following: "Any person who disposes of any feed, which has been made available to him for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 284), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill provides the same penalty for misuse of feed made available under section 407 of the Agricultural Act of 1949 to relieve distress or preserve foundation herds as is now provided for misuse of feed made available under Public Law 86-299. That is a civil penalty equal to the market value of the feed and a criminal penalty of not to exceed \$1,000 or imprisonment for not more than 1 year. The offense would be a misdemeanor.

This bill was requested by the Department of Agriculture to provide uniform administration of these similar programs. No objections or requests for hearings were received by the committee.

The bill is further explained in the attached letter from the Department.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., January 4, 1963.

Hon. LYNDON B. JOHNSON,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith for the consideration of the Congress a draft bill entitled "A bill to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds." If enacted this bill would further amend section 407 of the Agricultural Act of 1949, as amended.

Under Public Law 86-299, there is imposed a statutory penalty if CCC-owned grain sold to a farmer in a designated emergency area at the current support price is disposed of

by the farmer other than by feeding to his livestock. There is no such penalty if a farmer misuses CCC-owned grain made available to him at a lower price under section 407 for the purpose of relieving distress or for the preservation and maintenance of his foundation herd. Instead, in such situation CCC's measure of recovery is the customary measure of damages.

The livestock feed program of this Department uses the authority of both statutes, the authority of section 407 to provide feed for foundation herds and the authority of Public Law 86-299 to provide feed for the farmer's other livestock. If there is a misuse of grain it may involve purchases by the recipient under both statutes. We believe it advisable that CCC have a uniform basis of recovery for such violations. The proposed legislation would provide a statutory penalty for feed sold and misused under the applicable provisions of section 407 which is similar to that now contained in Public Law 86-299. An identical recommendation is being transmitted to the Speaker of the House of Representatives.

No increase in administrative expense or appropriation will be necessitated if the proposed amendment is enacted. The Bureau of the Budget advises that, from the standpoint of the President's program, there is no objection to the submission of this proposed legislation and explanatory letter to the Congress for its consideration.

Sincerely yours,

ORVILLE L. FREEMAN,  
Secretary.

#### EXTENSION FOR 2 YEARS OF THE DEFINITION OF "PEANUTS" UNDER AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (S. 582) to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938, as amended, was announced as next in order.

Mr. KEATING. Mr. President, I ask that the bill be passed over for the time being.

The PRESIDING OFFICER. The bill will be passed over.

#### LEASE AND TRANSFER OF TOBACCO ACREAGE ALLOTMENTS

The Senate proceeded to consider the bill (S. 581) to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the present provisions permitting the lease and transfer of tobacco acreage allotments, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That (1) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is further amended—

(1) by striking out "and 1963" and inserting in lieu thereof ", 1963, 1964, and 1965";

(2) by striking out ", and for the 1963 crop year, other than" and inserting in lieu thereof "or"; and

(3) by striking out the last sentence and inserting in lieu thereof the following: "In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75



per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years."; and

(2) Subsection (b) of such section, as amended, is amended to read as follows: "(b) Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease of tobacco acreage allotments."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 286), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### PURPOSE

The purpose of this bill is to authorize, for 2 additional years, the transfer, by lease, of tobacco acreage allotments from one farm to another within the same county. The law does not apply to burley tobacco or cigar filler and cigar binder, types 42, 43, 44, 53, 54, and 55. Under the existing law, an allotment for Maryland (type 32) tobacco could be leased only if at least 75 percent of the allotment for the farm was planted in 1960 and 1961. As introduced, the bill would have permitted leasing of any Maryland tobacco allotment, but on the recommendation of the Department of Agriculture the committee amendment would preclude the leasing of any Maryland tobacco allotment unless at least 75 percent of the allotment for each of the 2 preceding years was planted on the farm.

#### NEED FOR LEGISLATION

In many areas, tobacco acreage allotments have become so small that producers holding such allotments frequently, in any particular year, neglect to plant their allotment because it is an uneconomic operation, or for other reasons.

For the crop years 1964 and 1965 only, this bill would authorize the holders of such small allotments to transfer their allotment to another tobacco producer in the same county if they chose to do so.

#### COMMITTEE AMENDMENT

The committee amendment to the text of the bill would prohibit the leasing of Maryland tobacco allotments unless at least 75 percent of the allotment was planted on the farm during each of the 2 preceding years. This amendment was developed in order to carry out the recommendations of the Department of Agriculture as outlined in their report which follows.

#### AGRICULTURAL LAND DEVELOPMENT IN ALASKA

The bill (S. 623) to provide for a program of agricultural land development in the State of Alaska was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this

Act may be cited as the "Alaska Farmland Development Act of 1963".

#### DEVELOPMENT OF POLICY AND PURPOSE

SEC. 2. In order to provide more adequately for the sound, efficient, and orderly development and utilization of agricultural land resources of the State of Alaska; to facilitate and assure the establishment of family-type farms as economic units of production and to encourage, promote, and strengthen this form of farm enterprise; to provide for Alaska's future economic growth by promoting a sound and stable agriculture, thereby insuring a more adequate and dependable food supply for the present and future population of the State; and in recognition of the strategic position of the State of Alaska in relation to national security and defense, it is hereby declared to be the policy of Congress, and the purpose of this Act shall be, to provide for a program of agricultural land development in the State of Alaska which will assist agricultural producers to develop and utilize more effectively the productive capacity of the State's land resources for agricultural purposes.

SEC. 3. The Secretary of Agriculture is hereby authorized to formulate and carry out a land development program, which, subject to such terms and conditions as the Secretary determines will best effectuate the policy and purpose expressed in section 2 of this Act, shall provide for the making of payments or grants to agricultural producers in the State of Alaska for carrying out specified farmland development or treatment measures including, but not limited to, clearing, draining, shaping, and otherwise conditioning land for the production of crops or for pasture.

SEC. 4. In carrying out the provisions of this Act, the Secretary is authorized, within the amounts of such appropriations as may be provided therefor, to enter into agreements or other arrangements extending for a period of years with producers determined by him to have control of the farms and ranches covered thereby. The Secretary shall not enter into any such agreement or agreements the effect of which would be to grant to any single producer more than one-fifth of the total amount of funds appropriated for the Alaska land development program for the year in which the agreement is made.

SEC. 5. The Secretary is authorized and directed to issue such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 6. In carrying out the provisions of this Act, the Secretary may utilize the committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended.

SEC. 7. There is hereby authorized to be appropriated, without fiscal year limitations, such sums as may be necessary to carry out this Act: *Provided*, That the total cost of the program (excluding administrative costs) shall not exceed \$1,250,000 and for any program year payments shall not exceed \$125,000. The program authorized by this Act shall be in addition to, and not in substitution of, other programs in the State of Alaska authorized by any other Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 287), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill, which is identical to S. 2805 as passed by the Senate on September 28, 1962, provides for payments to assist agricultural producers in Alaska to carry out farmland development measures. Maximum payments

in any year would be \$125,000, and the total cost of the program, exclusive of administrative costs, could not exceed \$1,250,000. Assistance in Alaskan farmland development is needed because of expanding population and the high cost of conditioning land in Alaska. A high percentage of the food consumed in the State is imported.

Attached is the report of the Department of Agriculture favoring enactment of S. 2805. No report has been received as yet from the Department on S. 623, but except for the final sentence of section 4, which was added to S. 2805 after the Department had reported on it, S. 623 is identical to the bill on which the Department reported.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., May 24, 1962.

HON. ALLEN J. ELLENDER,  
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request of February 7, 1962, for a report on S. 2805, a bill to provide for a program of agricultural land development in the State of Alaska.

This Department recommends that the bill be passed.

The purpose of this bill is to provide for a program of land development which will assist agricultural producers in the State of Alaska to develop and utilize more effectively the productive capacity of the State's land resources for agricultural purposes. The bill would authorize the Secretary of Agriculture to formulate and carry out a land development program under which payments or grants would be made to agricultural producers in Alaska for carrying out specified farmland development measures. Such measures may include, but would not be limited to, clearing, draining, shaping, and otherwise conditioning land for the production of crops or for pasture. In making this assistance available, the Secretary would have authority to enter into agreements with agricultural producers extending for a period of years.

Provision is made for utilizing the farmer committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act in the administration of the proposed program. The program authorized in this bill would be in addition to other programs in the State of Alaska now provided by law. There is authorized to be appropriated, without fiscal year limitations, a maximum of \$1,250,000 for the entire program, excluding administrative costs, but not to exceed \$125,000 is to be expended in any 1 program year.

We believe the program authorized in this bill is a desirable long-term approach in the needed expansion of agriculture in Alaska. The agricultural economy of the State has not kept pace with its rapid growth in population. Data from the Bureau of the Census show that the population of Alaska increased by 75 percent between 1950 and 1960. While the population as a whole is still predominantly rural (62 percent rural to 38 percent urban), the urban centers increased by 150 percent, as against less than 50 percent in the farming areas.

At present a high proportion of the food consumed in the State of Alaska must be imported. Such importation is costly and acts as a deterrent to orderly economic growth. Lack of local agricultural production could also pose serious problems in maintaining the health and well-being of the people in this strategic area of national security and defense.

The Department recognizes the need for building a stronger agricultural base in Alaska and believes that the proposed legislation would prove a valuable and practical addition to other programs now in operation in the State. There are ample land resources which could be developed into family-type



farms as economic units of production under the assistance authorized in this bill. Such development would prove of value not only to the people of Alaska but would serve the national interest by providing the means by which Alaska's growth would be better assured in an orderly and well-balanced manner for the benefit of the Nation as a whole.

Conditioning land for production in Alaska is expensive because of high labor and equipment costs. The program authorized in this bill would provide for the development of probably 20,000 acres during its authorization with a maximum in any year of 1,500 to 2,000 acres, assuming a cost-sharing arrangement whereby landowners would pay a part of the cost. This amount of land would help to only partially fill the gap between food needs and supply in the State. It would not affect materially the total demand for agricultural products. The demand for fresh produce (vegetables, and dairy and poultry products) is so pressing that expansion in farming would be expected to take place in those directions. The expected expansion would not be great enough to offset the expanded need for these products for the projected increase in population.

It is believed that the enactment of this proposed legislation would result in a total need for \$1,250,000 additional for the entire program, but that an initial appropriation of about \$125,000 would be sufficient for the first year after the bill is enacted. Since the presently established agricultural stabilization and conservation committees may be used to operate the program, the additional administrative costs would be much less than if a new organization were required.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

ORVILLE L. FREEMAN,  
Secretary.

Mr. BARTLETT subsequently said: Mr. President, Alaska is in the very early stages of economic development. The program contemplated under S. 623 will aid immeasurably the further economic development of this infant State.

The Alaska Farmland Development Act provides for the establishment of program of land development on a continuing and stable basis. Stability is, perhaps, one of the most important economic benefits Alaska will gain from this program.

Agriculture in Alaska has suffered from the vast changes which have taken place in the Nation and in the world in the last 30 years. Farming declined in the 1930's, almost vanished during the 1940's when all of our attention was devoted to the war effort. There was an upsurge of farming shortly after the end of World War II but this declined again during the Korean war. Now farming is struggling to regain its position and take its proper place in Alaska's economy.

Because the development of an agricultural base in Alaska was delayed or postponed due to prior national interests, Alaska farmers now must try to make up their lost ground. They are faced with an entirely different world than existed in the 1930's. They are faced with a world of rapid transportation, high costs, and intense competition.

The Senate, in passing S. 623, recognized the necessity of providing Alaska with at least a minimum of stability in

its agricultural endeavors. The program provides that not more than \$1,250,000 will be spent over a period of not less than 10 years. This is hardly a major effort as compared with the vast expenditures on the national agricultural industry. However, it is sufficient to do that which must be done, sufficient to promote the kind of private development which has always characterized American farming and made American farmers the finest the world has seen.

It should be remembered—it must be remembered—that Alaska farmers share in very few benefits that are granted to others in the agricultural community. Indeed, they are not included at all in most of the Federal programs, and this despite the fact that the man starting out in farming in most cases is most urgently in need of help. S. 623 will help.

The benefits to Alaska's economy and, consequently, to the Nation's economy which will grow from this program will show that the Senate's confidence in Alaska's farmers is well placed.

#### BILL PASSED OVER

The bill (H.R. 40) to assist the States to provide additional facilities for research at the State agricultural experiment stations was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

#### ACQUISITION OF GREAT FALLS PROPERTY, VIRGINIA

The Senate proceeded to consider the bill (S. 1039) to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes, which had been reported from the Committee on Finance with an amendment, on page 3, line 14, after the word "are", to strike out "deficient." and insert "deficient: *Provided*, That not more than \$1,000,000 may be appropriated for the acquisition of land under this Act."; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior (hereinafter called the "Secretary" may accept title to, and administer in connection with the George Washington Memorial Parkway, pursuant to the Act of May 29, 1930 (ch. 354, 46 Stat. 482), as amended, the lands, and interests in lands, commonly known as the Great Falls property, more particularly described as follows, to wit:

All of that land in Fairfax County, Virginia, depicted on the drawing designated "NCP 117.1-471B," filed among the land records of National Capital Parks, said drawing being Potomac Electric Power Company's drawing numbered 77345-E of June 20, 1949, as revised by National Capital Parks on October 14, 1960, which land is comprised of 521.292 acres shown on the drawing as area 1, 53.446 acres shown as area 3, and 208.899 acres shown as area 4 on said drawing, the aggregate of which is 783.637 acres.

Sec. 2. In exchange for the conveyance to

the United States of the lands and interests in lands described in section 1 of this Act, the Secretary may convey to the Potomac Electric Power Company all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land situated in the county of Prince Georges, State of Maryland, depicted on the drawing designated NCP 123-375, dated October 17, 1960, filed among the land records of National Capital Parks containing approximately 391 acres, less that land occupied by the reconstructed section of Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

Sec. 3. The Secretary may convey to the county of Prince Georges, State of Maryland, all the right, title, and interest of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land occupied by the reconstructed section of the Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

Sec. 4. The Secretary shall consummate the exchange authorized by this Act on the basis of the fair market value of the properties. If the value of Federal properties does not approximately equal the value of privately owned properties, the Secretary may make up the difference by payment from donated funds or appropriated funds if donated funds are deficient: *Provided*, That not more than \$1,000,000 may be appropriated for the acquisition of land under this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 289), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### PURPOSE OF THE BILL

The Government acquired 391 acres of detached land at Blue Ponds, Md., in connection with the construction of the Baltimore-Washington Parkway which is now surplus to its needs. A 250-foot right-of-way across this property is presently leased and being used by the Potomac Electric Power Co.

The power company owns a tract of 783 acres adjoining the small Virginia State park at the Great Falls of the Potomac River a few miles outside the District of Columbia on the route of the George Washington Memorial Parkway. The tract contains remains of the Potomack Canal, built by Gen. George Washington and his associates to provide a skirting channel around the falls for boat traffic up the Potomac River to the west.

Ruins include the turning basin and remains of the town of Matildaville, which was based on the canal operation.

The canal is an outstanding remaining example of colonial engineering, and historical evidence of the efforts of General Washington and his associates to establish routes for commerce and communication that would open up the interior areas of the United States to development.

The Great Falls tract has geologic, botanic, wildlife, scenic, and recreational values which add to its worthiness for development and would provide the National Capital area and its many visitors an unduplicated attraction in conjunction with the George Washington Memorial Parkway.







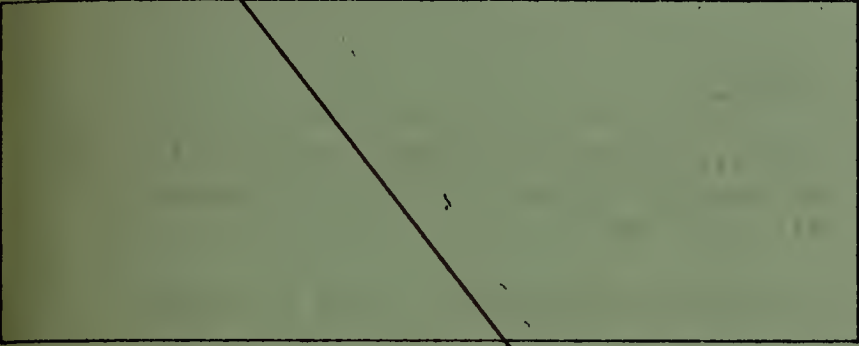
# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued July 9, 1963  
For actions of July 5 and 8, 1963  
88th-1st; Nos.  
101 and 102



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HIGHLIGHTS: July 5: House received GAO audit report of Federal Crop Insurance Corporation. July 8: House passed bills to: Extend lease and transfer of tobacco allotments; Increase Tulalake durum wheat allotments. Rep. Battin criticized USDA activities in wheat referendum. Rep. Curtis expressed concern over Common Market Agricultural policies.

HOUSE - July 5

1. FARM LABOR. Rep. Talcott criticized the Mexican Farm Labor program as causing great expenses for the migrant families and stated that the domestic worker receives a double protection against the migrant worker. p. 11475
2. CROP INSURANCE. Received a report from the Comptroller General on the audit of the Federal Crop Insurance Corporation for fiscal year 1962 (H. Doc. 133). p. 11476
3. LAND. Received a report from Interior announcing that an adequate soil survey and land classification of the lands in the Dalles project, Ore., has been completed. p. 11476
4. PEACE CORPS. Received from the President a proposed bill to amend further the Peace Corps Act, as amended; to Foreign Affairs Committee. p. 11476

5. FOREIGN TRADE. Received from Treasury a proposed bill to amend section 313(b) of the Tariff Act of 1930, as amended, to prohibit drawback payments on exported articles under certain circumstances; to Ways and Means Committee. p. 11476
6. ADJOURNED until Mon., July 8. p. 11476

SENATE - July 5

Met briefly, but conducted no business, and adjourned until Tues., July 9.  
p. 11477

HOUSE - July 8

7. TOBACCO. Passed without amendment S. 581, to extend for two additional years (1964 and 1965) the provisions of law permitting the lease and transfer of tobacco acreage allotments. This bill will now be sent to the President.  
p. 11480

Passed without amendment H. J. Res. 403, to extend the time by which a lease transferring a tobacco acreage allotment may be filed with the ASC County Committee. pp. 11480-1

8. WHEAT. Passed with an amendment S. 762, to increase the acreage allotment for durum wheat in the Tulalake area, Calif., from 8,000 to 12,000 acres. pp. 11498-9

9. PERSONNEL. Passed as reported H. R. 4837, to extend to all Federal employees the existing provisions of law that provide for restoring to an employee pay and other benefits which he has lost because of an unjustified or unwarranted personnel action that is later corrected by appropriate authority. pp. 11479-80

10. ELECTRIFICATION. Passed as reported H. R. 4062, to authorize the Secretary of the Interior to market electric power generated at the Amistad Dam on the Rio Grande. p. 11480

Rep. Saylor criticized the reported decision of the Department of the Interior to extend the Bonneville power marketing area into Southern Idaho and urged that the action not be taken until it could be studied by the Congress. pp. 11524-5

11. PROPERTY; MINERALS. The Subcommittee on Mines and Mining of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 4211, to provide for the conveyance of certain mineral interests of the U. S. in property in S. C. to the record owners of the surface of that property (relates to mineral interests in property which have been transferred from the Farmers Home Administration to Interior). p. D501

12. WATERSHEDS. The "Daily Digest" states that the Subcommittee on Conservation and Credit of the Agriculture Committee "approved five watershed projects." p. D501

13. D. C. APPROPRIATION BILL, 1964. The Appropriations Committee reported this bill, H. R. 7431 (H. Rept. 499). p. 11535

14. FOREIGN TRADE. Rep. Curtis discussed the balance-of-payments problem and expressed concern over the possible effects of the agricultural trade policies of the European Common Market on our domestic agriculture. pp. 11519-24

Rep. Cramer criticized the use of free world ships to transport cargo to Cuba and urged stronger measures by the U.S. to discourage such shipments. pp. 11518-9



ments were offered, designed in the main to preclude the expenditure of public funds for items considered by some of us to be nonessential. This body having rejected those amendments, it would be pointless to raise those issues again by separate bills. However, there is one item concerning which no amendment was offered. That is the matter of the use of the franking privilege for patron mail.

The franking privilege is, of course, essential to the proper performance of each Member's duties. However, the use of the franking privilege on occupant mail falls under heavy criticism, and I, for one, feel that criticism to be in large measure justified.

During the course of debate on H.R. 6868, the able subcommittee chairman stated that the use of patron mail by Members of Congress would be discretionary with the Postmaster General. This is a matter that should be decided by the Congress, not by the administration.

Accordingly, I have today introduced a bill to prohibit the use of a simplified form of address—so-called patron mail—under the franking privilege.

I would urge the Members to support this measure.

#### AGAIN THE CIRCUS

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, the setting of the Republican convention for July indicates that we will have another mad, protracted, and senseless presidential campaign in 1964.

In making this statement, I do not ascribe any particular malevolence to the Republicans since in setting this early date, they are merely acting in the manner customary to the party which is not in power.

The fact remains, however, that the designations of this early date means that the American public will be subject to over 3 months of the circus-parade type of campaign that is known only in the United States of America.

I cannot understand why we insist on pursuing this irrational course. A study of past campaigns indicates that there is no great virtue in making them unduly long. Governor Stevenson exhausted himself in two strenuous and elongated campaigns with marked lack of success. The same is true of Wendell Willkie.

The only effect of the long presidential campaign is to wear down the candidates until they become caricatures of themselves and to make the public sick and tired of the repetition and retracing which is the natural result of the drying-up of inspiration and spontaneity.

For several years, and again, this year, I have filed a bill—currently H.R. 7321—to require the nomination of the President and Vice President to be made within 60 days of the election. Since the Republican convention date has already been set, I have no illusions about the possi-

bility of success of this legislation before the 1964 campaign.

I cannot say that my proposal has resulted in a tremendous ground swell of support. Nevertheless, I believe that support exists in the body of the American people, even though it does not contain the emotional stimulus of other more personal issues. If election campaigns such as ours are not required in India, England or Israel, why must we resort to them? Certainly, there is a point of diminishing returns after which the public close their ears and minds to further repetition of political platitudes.

Only this year, in Canada, one of the most momentous elections in the history of that nation was conducted with adequate coverage of the issues and exposure of candidates. This election took only 30 days.

If Canada can do this, why cannot we?

#### SUBCOMMITTEE NO. 5, COMMITTEE ON THE JUDICIARY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary may be permitted to sit during general debate on July 10, 11, and 12.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

#### CORRECTION GRATEFULLY ACCERTED

(Mr. TALCOTT asked and was given permission to extend his remarks at this point.)

Mr. TALCOTT. Mr. Speaker, I want to call attention of the House of Representatives and the people of Texas, particularly Alamo, Tex., that Mr. John H. Ginsbach, the mayor of Alamo, has stated that "Further investigation on my part indicates to me that this statement—CONGRESSIONAL RECORD, June 18, 1963, page 10430—is not correct."

The people of my district, the agricultural community of California, and those charged with the enforcement of the bracero program, and I, appreciate the retraction.

More than that, I personally commend the mayor of Alamo, Tex., Mr. Ginsbach, for having and displaying the honesty and courage to admit a mistake and correct it. This is a virtue of a big man.

Mr. Ginsbach should never have been involved in the bracero issue. I regret any embarrassment I caused him.

The bracero program is vitally important to my district and the agricultural industry and community of California. We want the program to work properly and effectively to the satisfaction of everyone, including, particularly, the domestic farmworker. We do not want to mislead—we simply want Congress to understand.

#### CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

#### ADDITIONAL PAY FOR DIRECTORS AT VETERANS' ADMINISTRATION INSTALLATIONS

The Clerk called the bill (H.R. 228) to amend title 38, United States Code, with respect to the salary of directors and chiefs of staff of Veterans' Administration hospitals, domiciliarys, and centers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, on behalf of a colleague I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### BACK PAY ACT OF 1963

The Clerk called the bill (H.R. 4837) to provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Back Pay Act of 1963".*

SEC. 2. For the purposes of this Act—

(1) "agency" means—

(A) each executive department of the Government of the United States;

(B) each agency or independent establishment in the executive branch of such Government;

(C) each corporation owned or controlled by such Government;

(D) the Administrative Office of the United States Courts;

(E) the Library of Congress;

(F) the General Accounting Office;

(G) the Government Printing Office; and

(H) the municipal government of the District of Columbia.

SEC. 3. Each civilian officer or employee of an agency who, on the basis of an administrative determination or a timely appeal, is found by appropriate authority under applicable law or regulation to have undergone an unjustified or unwarranted personnel action taken on or after the date of enactment of this Act, which has resulted in the withdrawal or reduction of all or any part of the pay, allowances, or differentials of such officer or employee—

(1) shall be entitled, upon correction of such personnel action, to receive for the period for which such personnel action was in effect an amount commensurate with the amount of all or any part of the pay, allowances, or differentials, as applicable, which such officer or employee normally would have earned during such period if such personnel action had not occurred, less any amounts earned by him through other employment during such period; and

(2) for all purposes, shall be held and considered to have rendered service for such agency during such period, except that such officer or employee shall not be credited, by reason of the enactment of this Act, leave in an amount which would cause any amount of leave to his credit to exceed any maximum amount of such leave authorized for such officer or employee by law or regulation.

SEC. 4. The United States Civil Service Commission shall prescribe regulations to carry out the provisions of this Act. Such regulations shall not be applicable with respect to the Tennessee Valley Authority and its officers and employees.



SEC. 5. (a) There are hereby repealed—  
 (1) section 6(b) of the Act of August 24, 1912, as amended (5 U.S.C. 652(b)); and  
 (2) that part of the third proviso of the first section of the Act of August 26, 1950 (5 U.S.C. 22-1), which reads: “, and if so reinstated or restored shall be allowed compensation for all or any part of the period of such suspension or termination in an amount not to exceed the difference between the amount such person would normally have earned during the period of such suspension or termination, at the rate he was receiving on the date of suspension or termination, as appropriate, and the interim net earnings of such person”.

(b) Notwithstanding the repeal of certain provisions of law made by subsection (a) of this section, such provisions of law so repealed shall continue to have full force and effect with respect to unjustified or unwarranted personnel actions taken prior to the date of enactment of the Act.

With the following committee amendments:

Page 2, line 14, strike out “on or” and insert in lieu thereof “prior to, on, or”.

Page 3, line 16, strike out “(a)”.

Page 4, strike out lines 6 to 11, inclusive.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MARKET POWER GENERATED AT AMISTAD DAM

The Clerk called the bill (H.R. 4062) to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of June 18, 1954 (68 Stat. 255), be amended as follows:

(a) In the first sentence of section 1 change the phrase “Falcon Dam, an international storage reservoir project” to read “Falcon Dam and Amistad Dam, international storage reservoir projects”, and change the word “project”, the second place it appears, to read “projects”.

(b) In the second sentence of section 1 change the word “project” to read “projects”.

(c) In the fourth sentence of section 1 of said Act, strike out the balance of the sentence beginning with the phrase “in order to make the power and energy generated at said project” and insert in lieu thereof the following: “for the integration of the Falcon and Amistad projects and in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.”

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: “A bill to amend the act authorizing

the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande.”

A motion to reconsider was laid on the table.

#### INCREASE FOR GRAND AND PETIT JURORS

The Clerk called the bill (H.R. 5905) to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, the committee report indicates that the annual additional cost following enactment of this legislation would be approximately \$1.4 million per year.

Mr. Speaker, the objectors of the Consent Calendar, both Democratic and Republican, have an agreement that no legislation ought to be on the Consent Calendar that involved more than \$1 million. In order to maintain the integrity of this agreement, in my opinion this bill should not be considered on the Consent Calendar. I note, however, that it is scheduled for consideration under suspensions for today.

Mr. Speaker, I therefore withdraw my reservation and ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### LEASE OF TOBACCO ALLOTMENTS

The Clerk called the bill (H.R. 5930) to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 581, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (1) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is further amended—

(1) by striking out “and 1963” and inserting in lieu thereof “, 1963, 1964, and 1965”;

(2) by striking out “, and for the 1963 crop year, other than” and inserting in lieu thereof “or”; and

(3) by striking out the last sentence and inserting in lieu thereof the following: “In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years.”; and

(2) Subsection (b) of such section, as amended, is amended to read as follows: “(b) Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree.”

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 5930) was laid on the table.

Mr. BROYHILL of North Carolina. Mr. Speaker, I rise in support of this legislation. There is no question but that this program has been of considerable value to the Flue-cured tobacco farmer and deserves to be continued.

In North Carolina, Flue-cured tobacco is a huge industry. Cash receipts in 1962 were \$817 million according to the estimates of the Department of Agriculture. Of this, North Carolina accounted for \$540 million. I cite these statistics since the Congress should be aware of the magnitude of Flue-cured tobacco production. If this industry were damaged, the economic consequences would be widespread. If the industry were seriously harmed, it would take, in North Carolina alone, 540 new industrial plants, each with an annual payroll of \$1 million to make up for the lost income. Today, every State in the Union is competing for expanded employment opportunities. All of you here who have worked long and hard to land just one industrial plant know that to try to obtain 540 is a virtual impossibility. That is one reason we are so anxious to protect the investment of our farmers and to strengthen this great American industry.

H.R. 5930 continues for 2 years the authority of Flue-cured tobacco farmers to transfer by lease tobacco acreage allotments from one farm to the other within the same county. It recognizes the special problems of Flue-cured tobacco production. There is virtually no cost to the Government involved in this bill. I urge that the House favorably consider this legislation which provides administrative assistance needed and desired by Flue-cured tobacco producers.

#### EXTENSION OF TIME TO FILE 1963 TOBACCO ALLOTMENT LEASES

The Clerk called House Joint Resolution 403 to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.









Public Law 88-68  
88th Congress, S. 581  
July 19, 1963

## An Act

To amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease of tobacco acreage allotments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (1) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is further amended--

Tobacco allotment leases, extension.

75 Stat. 469;

76 Stat. 947.

7 USC 1314b.

77 STAT. 81.

77 STAT. 82.

(1) by striking out "and 1963" and inserting in lieu thereof "1963, 1964, and 1965";

(2) by striking out "; and for the 1963 crop year, other than" and inserting in lieu thereof "or"; and

(3) by striking out the last sentence and inserting in lieu thereof the following: "In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years."; and

(2) Subsection (b) of such section, as amended, is amended to read as follows: "(b) Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree."

Approved July 19, 1963.

### LEGISLATIVE HISTORY:

HOUSE REPORT No. 360 accompanying H. R. 5930 (Agriculture Comm.).

SENATE REPORT No. 286 (Agriculture & Forestry Comm.).

CONGRESSIONAL RECORD, Vol. 109 (1963):

June 25: Considered and passed Senate.

July 8: Considered and passed House in lieu of H. R. 5930.







